INDEX TO DOCUMENTATION OF COUNTRY CONDITIONS REGARDING PERSECUTION AGAINST LGBT (LESBIAN, BISEXUAL, GAY, AND TRANSGENDER) PERSONS IN SAUDI ARABIA, IN SUPPORT OF AN APPLICATION FOR ASYLUM

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<td><strong>GOVERNMENTAL SOURCES</strong></td>
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<td>• “Under sharia, as interpreted in the country, consensual same-sex sexual conduct is punishable by death or flogging, depending on the perceived seriousness of the case. It is illegal for men “to behave like women” or to wear women’s clothes, and vice versa. Due to social conventions and potential persecution, lesbian, gay, bisexual, transgender, and intersex (LGBTI) organizations did not operate openly, nor were there LGBTI rights advocacy events of any kind. There were reports of official and societal discrimination, physical violence, and harassment based on sexual orientation or gender identity in employment, housing, access to education, and health care. Stigma or intimidation limited reports of incidents of abuse. Saudi clerics condemned homosexuality during government-approved Friday sermons at some mosques, most notably at the Grand Mosque in Mecca on August 14.” (p. 50-51)</td>
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• “On April 8, authorities arrested Mohamad al-Bokari, a Yemeni blogger living in Riyadh, for posting a video on social media calling for equal rights, including for gay men. On July 20, a court sentenced him to 10 months in prison and a fine, followed by deportation to Yemen, according to HRW. HRW reported that al-Bokari was charged with violating public morality by promoting homosexuality online and “imitating women.” A source in contact with al-Bokari told HRW that before his trial he was held in solitary confinement for six weeks in al-Malaz Prison in Riyadh, where he was subjected to torture, including beatings and a forced anal exam, an internationally discredited practice used to seek “proof” of homosexual conduct.” (p. 51)

• “Significant human rights issues included: unlawful killings; executions for nonviolent offenses; forced disappearances; torture and cases of cruel, inhuman, or degrading treatment of prisoners and detainees by government agents; harsh and life-threatening prison conditions; arbitrary arrest and detention; political prisoners or detainees; serious restrictions on free expression, the press, and the internet, including threats of violence or unjustified arrests or prosecutions against journalists, censorship, site blocking, and engaging in harassment and intimidation against Saudi dissidents living abroad; substantial interference with the freedom of peaceful assembly and freedom of association; severe restrictions of religious freedom; restrictions on freedom of movement; inability of citizens to choose their government peacefully through free and fair elections; violence and discrimination against women, although new women’s rights initiatives were implemented; trafficking in persons; criminalization of consensual same-sex sexual activity; and restrictions on workers’ freedom of association, including prohibition of trade unions and collective bargaining.” (p. 2)

  • “Homosexual or extra-marital sexual relations, including adultery, are illegal and can be subject to severe penalties. It’s also illegal to be transgender. Transgender people travelling to Saudi Arabia are likely to face significant difficulties and risks if this is discovered by the authorities.” (p. 3-4)

  • “According to the Institute for Monitoring Peace and Cultural Tolerance in School Education, Saudi textbooks in 2019 taught students “to consider Jews ‘monkeys’ and ‘assassins’ bent on harming Muslim holy places, and to punish gays by death.”” (p. 15)

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<td>“Stigma or intimidation acted to limit reports of incidents of abuse. There were no government efforts to address discrimination.” (p. 49)</td>
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<td>“In September, two Saudi male journalists fled the country, claiming authorities revealed their romantic relationship to relatives in retaliation for contacts they had with foreign media. The journalists sought asylum in Australia.” (p. 50).</td>
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<td>“During the year local newspapers featured opinion pieces condemning homosexuality and calling on authorities to harshly punish individuals engaging in same-sex relations.” (p. 50)</td>
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<td>“The Anti-Defamation League and other human rights organizations reported that Saudi textbooks, media, and preaching continued to feature content that condones violence against Jews, Christians, Shia, LGBT persons, and others. See the 2019 International Religious Freedom report.” (p. 5)</td>
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<td>“On January 8, police reported they arrested and referred to prosecutors several young men who appeared in a video described as a “gay wedding scene.” No updates on the case were publicly available.” (p. 51)</td>
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<td>• “On February 26, Saudi police arrested 35 transgender Pakistanis at a party in Riyadh; one of them, Mohammed Amin, died while in police custody. A Pakistani transgender rights activist claimed Amin’s death was the result of torture. Riyadh police said the cause of death was a heart attack.” (p. 2)</td>
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<td>• “There were reports of official societal discrimination, physical violence, and harassment based on sexual orientation or gender identity in employment, housing, access to education, and health care. Stigma or intimidation acted to limit reports of incidents of abuse. Sexual orientation and gender identity could constitute the basis for harassment, blackmail, or other actions.” (p. 47)</td>
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<td>• Local media reported in April that the Jeddah Criminal Court had processed 60 cases of LGBTI individuals over the past year. In April a newspaper reported that the Jeddah Criminal Court sentenced a citizen to six months in prison and 180 lashes after he was convicted of “promoting homosexuality on social media networks.”” (p. 243)</td>
<td>8. Bureau of Democracy, Human Rights and Labor, U.S. Dep’t of State, <em>Saudi Arabia Country Reports on Human Rights Practices 2016</em> (Mar. 3, 2017), available at: <a href="https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/saudi-arabia/">https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/saudi-arabia/</a></td>
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<td>• “In January a newspaper reported that the [Commission for the Promotion of Virtue and Prevention of Vice (CPVPV)] arrested two men in Riyadh who were reportedly married and living together.” (p. 243)</td>
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Okaz, a liberal Saudi newspaper, first reported that prosecutors in the city of Jeddah were seeking the death penalty for those accused of engaging in homosexual behavior.” (p. 252)

While LGBTQ rights in Saudi Arabia have been an ongoing concern, the recent reports from LGBTQ activists in the kingdom alleging that a task force has been established to conduct sting operations over social media targeting members of the LGBTQ community – coupled with recent calls for capital punishment for LGBTQ Saudis – underscored the need for action.” (p. 252)

INTER-GOVERNMENTAL SOURCES


- “Same-sex sexual conduct is a crime punishable by death in Saudi Arabia. It is also illegal for a man to have “feminine behavior.” Because of severe discrimination and violence, Saudi Arabia has no organizations to promote LGBTI rights.” (p. 4)

NON-GOVERNMENTAL SOURCES


- “Same-sex sexual activity is generally understood to be prohibited under Sharia, and LGBT+ people are at risk of harassment, discrimination, criminal punishment, and violence.” (p. 19)
- “In October 2019, an openly gay Saudi man was arrested for electronic crimes and public nudity after using social media to post pictures of himself wearing shorts on the beach.” (p. 22)
- “Although political rights are curtailed for all Saudi citizens, women, religious minorities, and LGBT+ people face additional obstacles to participation given the kingdom’s strict laws and customs on matters including gender segregation and sexual activity, and its intolerance of religious groups that deviate from Wahhabism, a highly conservative and literalist interpretation of Sunni Islam.” (p. 7)


- “Saudi Arabia has no written laws concerning sexual orientation or gender identity, but judges use principles of uncodified Islamic law to sanction people suspected of committing sexual relations outside marriage, including adultery, extramarital, and homosexual sex. If individuals are engaging in such relationships online, judges and prosecutors utilize vague provisions of the country’s anti-cybercrime law that criminalize online activity impinging on “public order, religious values, public morals, and privacy.”” (p. 4)
• “In July, a Saudi court sentenced a Yemeni blogger to 10 months in prison, a fine of 10,000 Saudi Riyals ($2,700), and deportation to Yemen for posting a video on social media calling for equal rights, including for gay people” (p. 4)

   • “There is no codified Penal Law in Saudi Arabia, with Sharia law being the law of the land. All sexual relations outside of marriage are illegal and the penalty for a married man who engages in consensual same-sex intercourse is generally understood to be death by stoning.” (p. 135)
   • Beside the documented cases of death penalty, numerous instances of arrest, prosecutions and convictions to flogging and imprisonment have been recorded in the last two decades in Saudi Arabia...These include cases of “sodomy”, “deviant sexual behavior”, men living together “as married couples”, “encouraging or promoting homosexuality”, participating in purported “gay weddings” or “gay parties”, cross-dressing and “behaving like women”, “homosexual prostitution”, and “violating public order and morals” with “sexual references”. (p. 134)
   • “Despite the abundance of documented cases, the total number of arrests, prosecutions and convictions remains largely unknown. In stark contrast to the limited number of instances that make headlines, according to a 2012 report by Saudi newspaper Okaz, the government has arrested over 260 people for “homosexuality” over a one-year period around 2012.” (p. 136)
   • “There are also reports of the use of forced anal examinations.” (p. 136)
   • “Raids in clubs and hotels where “gay men” were arrested have taken place.” (p. 136)
   • “In April 2012, the commission was reportedly asked to enforce new orders to bar the entry of “gays and tomboys” from its government schools and universities until they “prove they have been corrected and have stopped such practices.” (p. 136)

   • “Al-Bokari was charged with violating public morality, promoting homosexuality online and imitating women. He was sentenced to 10 months in prison after which he is to be deported back to his home country, Yemen, where his life is at risk by armed groups. He has had no legal representation throughout his detention and trial.” (p. 1)

• “The International Gay and Lesbian Human Rights Commission (IGLHRC) condemns the reported decision of a Saudi Arabian court to sentence nine young men to up to 2,600 lashes each for so-called "deviant sexual behavior."” (p. 1)

• “A court in the western city of Qunfada reportedly ruled on April 15 that the men are guilty of transvestism and had participated in "deviant" sexual acts with each other. The sentences - blatantly violating the U.N. convention that prohibits the use of torture and cruel and degrading punishment - will be carried out at 15-day intervals, during which the men are supposed to recover from one beating before the next is inflicted. This will take two years.” (p. 1)


• “The authorities arrested al-Bokari, 29, on April 8 for posting a video on social media calling for equal rights, including for gay people. He had fled Yemen in June 2019 after Yemeni armed groups threatened to kill him and has since been living in Saudi Arabia as an undocumented migrant. A source in contact with al-Bokari told Human Rights Watch that before his trial, he was held in solitary confinement for six weeks in al-Malaz prison in Riyadh, in a hot and humid cell with no windows, no air-conditioning, and insufficient ventilation.” (p. 1)

• “After al-Bokari’s arrest in April, the source said, security officers subjected him to a forced anal exam, an internationally discredited practice used to seek “proof” of homosexual conduct, that can amount to torture. They continued to beat him and verbally abuse him in detention.” (p. 2)

• “After a trial in which he was provided no counsel, Mohamad al-Bokari, a Yemeni living in Riyadh, was sentenced on July 20, 2020 to 10 months in prison and a fine of 10,000 Saudi Riyals” (p. 1)

• “Al-Bokari was charged with violating public morality by promoting homosexuality online, and “imitating women.” These charges show that the court decision is based on discriminatory accusations against al-Bokari based on his perceived sexual orientation and gender expression, Human Rights Watch said.” (p. 2)

• “The source said al-Bokari told him that the court claimed he “confessed that he fled Yemen because he was ‘imitating women.’” But Human Rights Watch reviewed recorded phone communications and messages via social media in which Yemeni armed groups and private individuals threaten al-Bokari with death, which led him to flee. Deporting him to Yemen on release seems likely to put his life at risk, Human Rights Watch said” (p. 2-3)


• “Authorities across the region heavily repressed the rights of lesbian, gay, bisexual, transgender and intersex people, arresting scores of individuals because of their real or perceived sexual orientation or gender identity and subjecting some men to forced anal examinations.” (p. 6)

- “In April 2019, media reported indicated that a mass execution carried out in Saudi Arabia included 5 men who had been convicted of “homosexual acts” after they were allegedly coerced to confess. The country also arrested a gay man for posting a photo wearing shorts on social media, as well as two men for kissing in public. Shortly after, a national promo video labelled homosexuality as a form of “extremism”.” (p. 12)
- “Article 6 of the Anti-Cyber Crime Law (2007) prohibits the production, publication and promotion of online content or webpages that the government deems to be pornographic or in violation of religious values or public morals or order. For instance, in January 2018, Saudi police arrested a group of men who had uploaded a video of a “gay wedding”.” (p. 63)

19. **Amnesty International, Categorizing Feminism, Atheism, Homosexuality as crimes exposes Saudi Arabia’s Dangerous Intolerance (Nov. 12 2019), available at:**

- “While punishments for same sex relations are not codified under the law in Saudi Arabia, they are strictly prohibited under Shari’a (Islamic law) which Saudi Arabia draws from for its legal framework.” (p. 2)
- “Responding to an official announcement and a promotional video published by Saudi Arabia’s state security agency which categorizes feminism, homosexuality and atheism as “extremist ideas,” Heba Morayef, Amnesty International’s Middle East and North Africa Director, said: “The Saudi state security agency’s announcement which labels feminism, atheism and homosexuality as extremist ideas punishable by jail and flogging is outrageous – clearly contradicting the Kingdom’s bogus reformist image which Crown Prince Mohammed bin Salman continues to flaunt internationally.” (p. 1)


- “There is no codified Penal Law in Saudi Arabia. However, the country applies strict Islamic Sharia law. According to the Sura 7:80/81, sexual intercourse between men is outlawed. All sexual relations outside of marriage are illegal and the penalty for a married man is generally understood to be death by stoning.” (p. 467)
- “There is a morality law enforcement agency called the “Committee for the Propagation of Virtue and the Prevention of Vice” that arrests and detains people who violate the traditional teachings of Wahhabism, including same-sex sexual behaviour and diverse gender expression. They operate in-person and online, and are known to be particularly vicious towards LGBT people.” (p. 467)
- “The Saudi authorities raided a resort south of Saudi capital, Riyadh in February 2017, and detained 35 Pakistani citizens, describing them as “faggots”, and releasing photographs of some of the individuals who were
cross-dressing. It is reported that two members of the group were brutally killed by the authorities, a claim that the State denies.” (p. 468)

- “Authorities in Saudi Arabia arrested several people on “suspicion of homosexuality” in raids on two parties in the city of Jeddah in June 2015”. (p. 467)

- “In March 2016, it is reported that a doctor in Jeddah was arrested by the Committee for Promotion of Virtue and the Prevention of Vice for flying the rainbow flag, although he had been unaware of its meaning.” (p. 467)

- “In November 2014, a man was sentenced to three years in jail and fined for engaging in “immoral acts”. He had posted nude pictures of himself on social media and sought to arrange to have sex with other men.”” (p. 467)

- “In January 2016, four men were also allegedly arrested for living as “married couples” together in a flat.” (p. 467)

- “In January 2018, police arrested several young men who were allegedly involved in a “gay wedding” video filmed and posted online.” (p. 468)

- “In 2010, a gay Saudi diplomat sought asylum in the US after he was discovered to be gay and friends with a Jewish woman.” (p. 467)

- “In March 2018, a gay teenager allegedly committed suicide after his father had threatened to kill him for coming out as gay to his family.” (p. 468)

- “Also in March 2016, from Jeddah, ominous attention has been brought to online communications amongst sexual and gender minorities.” (p. 468-68)


- “Saudi Arabia has no written laws concerning sexual orientation or gender identity, but judges use principles of uncodified Islamic law to sanction people suspected of committing sexual relations outside marriage, including adultery, extramarital and homosexual sex. If individuals are engaging in such relationships online, judges and prosecutors utilize vague provisions of the country’s anti-cybercrime law that criminalize online activity impinging on “public order, religious values, public morals, and privacy.”” (p. 6)

- “In February 2017, Saudi police arrested 35 Pakistani citizens, some of whom were transgender women. One of them died in detention. Her family said her body bore signs of torture, while the Saudi authorities said she had died of a heart attack.”” (p. 6)

**MEDIA SOURCES**


- “A Saudi court has sentenced a Yemeni blogger to 10 months in prison, a fine equivalent to $2,700, and deportation to Yemen for a social media post supporting LGBTQ+ rights in Saudi Arabia” (p. 2)
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<td>“Suhail al-Jameel, 23, posted a statement to his Snapchat on Sunday saying authorities had charged him with sharing nudity online, after initially detaining him for wearing shorts at the beach on October 6.” (p. 2)</td>
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<td>“&quot;In 2019 LGBTQ are not welcome in Saudi Arabia, you must live in secret and can't live in peace. You want tourism but you won't give us freedoms,&quot; al-Jameel, who has 170,000 Twitter followers, wrote.” (p. 2)</td>
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<td>“In late September, the Shura council, crown prince Mohammed bin Salman's advisory chamber, approved 19 new public decency laws, one of which stated that men and women should dress conservatively.” (p. 4)</td>
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<td>“Saudi Arabia’s state security agency summoned Sultan, then a 46-year-old senior official at the Saudi Ministry of Media, to a prison on the outskirts of Riyadh. Sultan, who asked TIME to use a pseudonym to protect his identity out of fear for his safety, says he was taken to a cell with a CCTV camera angled towards the ceiling, where an interrogator accused him of helping a foreign journalist meet Saudi dissidents, and hinted he would out him as gay should he continue to work with the foreign press.” (p. 2-3)</td>
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<td>“Sultan was indeed in a relationship with another man, something he had kept secret for over a decade. After he and Nassar (also a pseudonym) began living together a few years ago, the pair moved apartment every six months to avoid attracting attention. Homosexuality is a crime in Saudi Arabia and can carry the death penalty.” (p. 3)</td>
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| | “Sultan once again found himself in detention—but this time in Australia. He and Nassar, a cameraman, traveled there in October to seek asylum after
receiving death threats from Nassar’s relatives, who said they had received information that his relationship with Sultan did “not please God.” Those threats were followed by a police summons for both men on unspecified charges. The pair decided to flee the country, arriving in Australia on tourist visas before being taken into detention.” (p. 3)

   - “The participants in what appears to be a same-sex wedding ceremony have been arrested in Saudi Arabia”. (p. 2)
   - “It is illegal to be gay or to dress in gender-nonconforming clothes in Saudi Arabia. Punishments can include fines, torture, imprisonment, and death.” (p. 5)

   - “Pakistani activists on Monday said two transgender women were beaten to death by police after being arrested in Saudi Arabia along with more than 30 other members of the community.” (p. 276)
   - “Saudi media reported last week that police had raided a party where men were dressed as women and wearing make-up and arrested around 35 people, but the outlets did not use the word transgender, nor say anyone had been killed.” (p. 276)

   - “Two transgender people were packed in sacks, thrashed with sticks and tortured to death, according to human rights activists. Police allegedly killed 35-year-old Amna, and Meeno, 26, both Pakistanis, after raiding a house in Saudi Arabia and arresting 35 transgender people.” (p. 277)
   - “They were allegedly arrested for cross-dressing and for having same-sex relationships in the capital of Riyadh.” (p. 277)

   - “Saudi police last week arrested three ‘effeminate’ men at a Starbucks in the country’s capital. The man behind the Saudi LGBT Twitter account told the Washington Blade that a gay friend said officers arrested the men — who were all under 20 — at a Starbucks on Riyadh’s King Abdullah Road on Oct. 13.” (p. 279)
   - “Agents with the Committee for the Promotion of Virtue and the Prevention of Vice — the so-called “religious police” that enforces Sharia law in Saudi Arabia —
were reportedly with the officers when they arrested the three men between 10 p.m. and midnight.” (p. 279)


- “Openly lesbian, gay, bisexual, and transgender Saudis are allegedly being charged with the same crimes as rapists and pedophiles and facing punishments that include flogging, and possibly even death.” (p. 3)
- “A letter spearheaded by out New York congressman Sean Patrick Maloney (pictured, left), and signed by 33 of his peers, forcefully asks the Saudi ambassador to end sting operations targeting LGBT people in the country, as well as reported incidents of torture and even capital punishment.” (p. 3)
- “Saudi Arabia, a key U.S. ally and follower of strict, antigay Sharia Law, has enforced a ban on consensual same-sex relations with punishment including death. Numerous reports of gay and bi Saudis being lured over the internet have been reported— one man allegedly faced 450 lashes for seeking sex via Twitter — and a 2014 State Department report confirmed that 35 people were thrown in jail because they were perceived as men wearing women's clothing at a party. Another man was reportedly jailed for flying an LGBT flag above his home, the Washington Blade reports.” (p. 4)


- “Saudi Arabia is reportedly pushing for harsher punishments on homosexuals and could even sentence gays to death. According to Okaz newspaper, Saudi Arabia is seeking to ‘raise the ceiling on the sanctions demanded by the prosecutor in cases of homosexuality to become a discretionary death penalty.’” (p. 281)


- “A published report indicates that people who come out online in Saudi Arabia could face the death penalty. Oraz, a Saudi newspaper, reported on Saturday that prosecutors in the city of Jiddah have proposed the penalty in response to dozens of cases they have prosecuted over the last six months. These include 35 people who received prison sentences for sodomy.” (p. 282)
- “Okaz reported that Jiddah authorities have prosecuted 50 cases in which men allegedly dressed as women. A doctor who lives in the port city on the Red Sea has been released on bail after officials arrested him for allegedly raising an LGBT Pride flag over his home.” (p. 282)
- “The State Department report notes that police and agents with the Committee for the Promotion of Virtue and the Prevention of Vice arrested 35 gay men — many of whom were wearing women’s clothing — at a Jiddah party in 2014. A judge in
the holy city of Medina in the same year sentenced a man to three years in prison and 450 lashes for ‘soliciting sex with other men’ on Twitter.” (p. 283)


- “A Saudi doctor, arrested for flying the rainbow pride flag above his home, has claimed he was unaware of the flag’s LGBT symbolism. The man said he bought the flag online after one of his children found the colours ‘pretty’ and had no idea it represented LGBT pride, CNN reports.” (p. 285)
- “The Saudi religious police, or the Committee for Promotion of Virtue and the Prevention of Vice, arrested the man after he raised the flag on a three metre pole above his home in Jeddah.” (p. 285)
Tab 1
SAUDI ARABIA 2020 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Kingdom of Saudi Arabia is a monarchy ruled by King Salman bin Abdulaziz Al Saud, who is both head of state and head of government. The 1992 Basic Law sets out the system of governance, rights of citizens, and powers and duties of the government, and it provides that the Quran and Sunna (the traditions of the Prophet Muhammad) serve as the country’s constitution. It specifies that the rulers of the country shall be male descendants of the founder, King Abdulaziz (Ibn Saud). In 2015 the country held its most recent municipal elections on a nonparty basis for two-thirds of the 3,159 seats in the 284 municipal councils around the country. Independent polling station observers did not identify significant irregularities with the elections.

The State Security Presidency, National Guard, and Ministries of Defense and Interior, all of which report to the king, are responsible for law enforcement and maintenance of order. The State Security Presidency includes the General Directorate of Investigation (Mabahith), Special Security Forces, and Special Emergency Forces; police are under the Ministry of Interior. Civilian authorities generally maintained effective control over the security forces. Members of the security forces committed some abuses.

Saudi Arabia continued air operations in Yemen throughout the year as leader of a coalition formed to counter the 2014 Houthi takeover of Yemeni government institutions and facilities. Houthi militants conducted missile, rocket, drone, and artillery attacks aimed at Saudi territory on an almost weekly basis. Saudi-led coalition airstrikes in Yemen reportedly resulted in civilian casualties and damage to infrastructure on multiple occasions. In June the UN secretary-general noted a “sustained, significant decrease in killing and maiming due to air strikes” and delisted the Saudi-led coalition from the list of parties responsible for grave violations against children in armed conflict. The Joint Incident Assessment Team, an independent investigative body, reviewed allegations of civilian casualties against the Saudi-led coalition in Yemen and referred incidents for potential action. (See the Department of State’s Country Reports on Human Rights Practices for Yemen).

During the year a royal decree abolished discretionary (ta’zir) death penalty sentences for crimes committed by minors, although the death penalty can still be applied to minors in instances specified by Islamic law (including for murder when
the victim’s family seeks the death penalty). The decree also capped prison sentences for minors at 10 years. The Supreme Court instructed courts to end flogging as a discretionary sentence and replace it with prison sentences or fines, which could eliminate flogging in most cases. Authorities continued to expand women’s rights, including a court ruling that a woman living independently did not constitute a criminal act and the Ministry of Education’s decision to drop the requirement that women studying abroad on a government scholarship be accompanied by a male guardian.

Significant human rights issues included: unlawful killings; executions for nonviolent offenses; forced disappearances; torture and cases of cruel, inhuman, or degrading treatment of prisoners and detainees by government agents; harsh and life-threatening prison conditions; arbitrary arrest and detention; political prisoners or detainees; serious restrictions on free expression, the press, and the internet, including threats of violence or unjustified arrests or prosecutions against journalists, censorship, site blocking, and engaging in harassment and intimidation against Saudi dissidents living abroad; substantial interference with the freedom of peaceful assembly and freedom of association; severe restrictions of religious freedom; restrictions on freedom of movement; inability of citizens to choose their government peacefully through free and fair elections; violence and discrimination against women, although new women’s rights initiatives were implemented; trafficking in persons; criminalization of consensual same-sex sexual activity; and restrictions on workers’ freedom of association, including prohibition of trade unions and collective bargaining.

In several cases the government did not punish officials accused of committing human rights abuses, contributing to an environment of impunity. In September the Public Prosecutor’s Office announced a final verdict in the murder trial of journalist Jamal Khashoggi, killed at the Saudi Consulate in Istanbul, Turkey, in 2018. All five defendants previously sentenced to death for their roles had their sentences commuted to a maximum of 20 years in prison, following a pardon from the Khashoggi family. Three others had their prison sentences upheld. The UN special rapporteur on extrajudicial, summary, or arbitrary executions called the verdicts a “parody of justice” and stated high-level officials “who organized and embraced the execution of Jamal Khashoggi have walked free from the start.”

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary deprivation of Life and Other Unlawful or Politically Motivated Killings
There were several reports that the government or its agents committed arbitrary or unlawful killings. The Public Prosecutor’s Office (PPO), which reports to the King, is responsible for investigating whether security force actions were justifiable and pursuing prosecutions.

On April 13, media reported that security forces shot and killed tribal activist Abdulrahim al-Huwaiti in the northwestern town of al-Khuraybah, Tabuk region. Al-Huwaiti reportedly refused to leave his home, which was slated for demolition in preparation for the construction of a new high-tech city to attract foreign investors. He was killed following a clash with authorities at his home. Hours before his death, al-Huwaiti posted YouTube videos in which he criticized the project and claimed his neighbors had been forcibly removed after facing pressure from the government and rejecting financial compensation to move.

An August 13 report by Human Rights Watch (HRW) accused Saudi border guards of killing several dozen Ethiopian migrants in April as they crossed over the border from Yemen illegally, fleeing Houthi forces who were forcibly expelling migrant workers.

Under the country’s interpretation and practice of sharia (Islamic law), capital punishment may be imposed for a range of nonviolent offenses, including apostasy, sorcery, and adultery, although in practice death sentences for such offenses were rare and usually reduced on appeal. As of December 31, five of the 25 executions during the year were for crimes not considered “most serious” (drug related). The total number of executions during the year was considerably less than the 185 executions carried out in 2019.

Since the country lacks a comprehensive written penal code listing criminal offenses and the associated penalties for them (see section 1.e.), punishment—including the imposition of capital punishment—is subject to considerable judicial discretion.

On September 7, the Riyadh Criminal Court issued a final verdict in the murder trial of journalist Jamal Khashoggi, killed in Istanbul in 2018. All five government agents who were previously sentenced to death for their roles had their sentences commuted to a maximum of 20 years in prison. Three other defendants had their sentences of seven to 10 years’ imprisonment upheld. The court’s ruling came after Khashoggi’s sons announced in May they would exercise their right to pardon the five individuals who had been sentenced to death.

On September 7, the UN
special rapporteur for extrajudicial, summary, or arbitrary executions, Agnes Callamard, called the final verdict a “parody of justice” and asserted that the high-level officials “who organized and embraced the execution of Jamal Khashoggi have walked free from the start.”

In April a royal decree abolished discretionary (ta’zir) death penalty sentences for those who committed crimes as minors. (The 2018 Juvenile Law sets the legal age of adulthood at 18 based on the Hijri calendar.) Minor offenders, however, who are convicted in qisas, a category of crimes that includes various types of murder, or hudud, crimes that carry specific penalties under the country’s interpretation of Islamic law, could still face the death penalty, according to HRW. The royal decree also capped prison sentences for minors at 10 years.

On April 8, government authorities in al-Bahah region carried out a qisas death sentence against Abdulmohsen al-Ghamdi, who had been charged with intentional homicide when he was a child, according to the European-Saudi Organization for Human Rights (ESOHR). Al-Ghamdi was reportedly arrested in 2012, at the age of 15, after he had shot and killed a classmate at a high school.

On August 26, the governmental Human Rights Commission (HRC) announced the Public Prosecutor’s Office (PPO) ordered a review of the death sentences of three Shia activists, Abdullah al-Zaher, Dawood al-Marhoon, and Ali al-Nimr, who were minors at the time of arrest. The statement indicated that the review order was an implementation of the April royal decree and applied retroactively.

In November a judge in the Specialized Criminal Court (SCC) ruled to overturn al-Marhoon and al-Zaher’s death sentences, and resented them to 10 years. Al-Zaher and al-Marhoon were 16 and 17, respectively, at the time of their arrests in 2012. Both were charged in connection with their involvement in antigovernment protests.

As of December, al-Nimr’s case remained under review. Al-Nimr was arrested in 2012 and sentenced to death in 2014 for crimes allegedly committed when he was 17. He was charged with protesting, aiding and abetting fugitives, attacking security vehicles, and various violent crimes. Human rights organizations reported due process concerns relating to minimum fair-trial standards for his case. Al-Nimr is the nephew of Shia cleric Nimr al-Nimr, executed in 2016.

There was also no update by year’s end as to whether the April royal decree would be applied retroactively in the case of the death sentence against Mustafa al-
Darwish for his involvement as a minor in antigovernment protests in 2012. On February 26, Nashet Qatifi, a Shia activist group, claimed the Supreme Court had upheld al-Darwish’s death penalty.

In November the rights group Reprieve expressed concern for 10 minors who remained on death row, including Muhammad al-Faraj. The group reported that prosecutors continued to seek the death penalty in a trial against al-Faraj, who was arrested in 2017 for protest-related crimes when he was 15.

In February a court issued a final verdict reducing Murtaja Qureiris’ sentence from a 12-year prison term handed to him in June 2019 to eight years, followed by a travel ban for a similar period, according to the human rights organization al-Qst (ALQST). According to rights groups including Amnesty International, Qureiris was detained in 2014 for a series of offenses committed when he was between 10 and 13 years old, and the public prosecution had sought the death penalty in his case.

There were terrorist attacks in the country during the year. Iranian-backed Houthis continued to target Saudi civilians and infrastructure with missiles and unmanned aircraft systems launched from Yemen. There were no civilian casualties during the year.

The United Nations, nongovernmental organizations (NGOs), media, and humanitarian and other international organizations reported what they characterized as disproportionate use of force by all parties to the conflict in Yemen, including the Saudi-led coalition, Houthi militants, and other combatants. The Group of Experts concluded that four airstrikes conducted by the Saudi-led coalition (SLC) between June 2019 and June 2020 were undertaken without proper regard to the principles of distinction, proportionality, and precaution to protect civilians and civilian objects. A UN report released in June documented 395 instances of killing and 1,052 instances of maiming of children in Yemen between January and December 2019, of which 222 casualties were attributed to the SLC. The UN secretary-general noted this was a “sustained significant decrease in killing and maiming due to air strikes” and delisted the SLC from the list of parties responsible for grave violations against children in armed conflict. (See the Country Reports on Human Rights Practices for Yemen.)

b. Disappearance
There were reports of disappearances carried out by or on behalf of government authorities.

In early March authorities reportedly detained four senior princes: Prince Ahmed bin Abdulaziz, King Salman’s full brother; his son, Prince Nayef bin Ahmed, a former head of army intelligence; Prince Mohammed bin Nayef, former crown prince and interior minister; and his younger brother, Prince Nawaf bin Nayef. The detentions were not announced by the government, but Reuters reported that the princes were accused of “conducting contacts with foreign powers to carry out a coup d’etat.” The Wall Street Journal reported that at the same time, security forces detained dozens of Interior Ministry officials, senior army officers, and others suspected of supporting the alleged coup attempt. In August lawyers representing Prince Mohammed bin Nayef said they were increasingly concerned about his well-being, alleging that his whereabouts remained unknown five months after he was detained and stating that he had not been allowed visits by his personal doctor. Prince Nawaf’s lawyers stated he was released in August, but there were no updates on the other three as of year’s end.

On March 16, authorities arrested Omar al-Jabri, 21, and Sarah al-Jabri, 20, in Riyadh and held them in incommunicado detention, according to HRW. They are the children of former intelligence official Saad al-Jabri, who has lived in exile in Canada since 2017. Prisoners of Conscience reported that the first trial hearing against Omar and Sarah occurred on September 10. They remained in detention at year’s end.

On March 27, authorities reportedly detained Prince Faisal bin Abdullah Al Saud, son of the late king Abdullah and former head of the Saudi Red Crescent Society, and have since held him incommunicado and refused to reveal his whereabouts, according to HRW. The authorities previously detained Prince Faisal during a November 2017 anticorruption campaign.

On March 5, the UN Working Group on Arbitrary Detentions contacted the Foreign Ministry to urge the release of Princess Basmah bint Saud, 56, a daughter of the late king Saud. On April 15, a verified Twitter account owned by Princess Basmah issued a series of tweets stating that she and her daughter Suhoud al-Sharif were being held without charge in al-Ha’ir Prison in Riyadh and that her health was deteriorating, according to HRW. The tweets apparently disappeared after several hours. On May 5, Agence France-Presse (AFP) reported that family members had received no further information about her well-being or status. On April 6, the Special Procedures of the UN Human Rights Council reported it sent a
communication to the government alleging that authorities prevented Princess Basmah and her daughter from traveling to seek medical attention for her daughter’s health condition, that they were subsequently detained and held incommunicado for a period of approximately one month, and that they were being held at the al-Ha’ir Prison in Riyadh without charge, according to the ESOHR.

On May 17, State Security Presidency (SSP) officers arrested internet activist Amani al-Zain in Jeddah; her whereabouts remained unknown, according to the Gulf Center for Human Rights (GCHR) and Prisoners of Conscience. They added that al-Zain was arrested after she apparently referred to Crown Prince Mohammed bin Salman as “Abu Munshar,” meaning “father of the saw,” while on a live video chat with Egyptian activist Wael Ghonim in October 2019.

On June 28, the Geneva-based Organization for Rights and Liberties (SAM) called on the government to disclose the fate of five Yemenis it said were being held in its prisons. On June 10, Prisoners of Conscience confirmed Sheikh Abdulaziz al-Zubayri, a member of the Yemeni Congregation for Reform or al-Islah Party had been in Saudi detention since May 20 for participating in an online meeting hosted by Yemeni students in Turkey.

In February disappeared humanitarian aid worker Abdulrahman al-Sadhan was permitted to call his family briefly, at which time he stated he was being held in al-Ha’ir Prison. His family has not heard from him since.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and makes officers, who are responsible for criminal investigations, liable for any abuse of authority. Sharia, as interpreted in the country, prohibits judges from accepting confessions obtained under duress. Statutory law provides that public investigators shall not subject accused persons to coercive measures to influence their testimony.

Human rights organizations, the United Nations, and independent third parties noted numerous reports of torture and mistreatment of detainees by law enforcement officers. ALQST alleged that authorities continued to use torture in prisons and interrogation rooms. Amnesty International assessed in a February statement that one of the most striking failings of the SCC in trials was “its unquestioning reliance on torture-tainted ‘confessions.’” It alleged at least 20 Shia men tried by the SCC have been sentenced to death on the basis of confessions.
obtained by torture since 2016, with 17 of them already executed. Former detainees in facilities run by the Mabahith alleged that abuse included beatings, sleep deprivation, and long periods of solitary confinement for nonviolent detainees.

On May 11, seven UN special rapporteurs sent a letter to the government regarding Shia cleric Sheikh Mohammed Hassan al-Habib and Shia teenager Murtaja Qureiris (see section 1.a.), expressing concern at the use of torture and mistreatment to extract confessions and possible incriminating evidence.

On July 11, the ESOHR stated the government continued to hold 49 women activists in detention, including several human rights advocates, and claimed they were subjected to torture and mistreatment.

On August 13, SAM alleged in *Middle East Monitor* that Jizan Prison authorities subjected hundreds of Yemeni detainees to torture and mistreatment. It said former Yemeni detainees claimed that prison officials subjected them to severe torture including electrocutions, crucifixions, being held in solitary confinement for prolonged periods, denial of health care, and being denied outside contacts, including with lawyers and family. According to the group, at least one detainee died.

Officials from the Ministry of Interior, the PPO, and the HRC, which is responsible for coordinating with other government entities to investigate and respond to alleged human rights violations (see section 5), claimed that rules prohibiting torture prevented such practices from occurring in the penal system. The Ministry of Interior stated it installed surveillance cameras to record interrogations of suspects in some criminal investigation offices, police stations, and prisons where such interrogations allegedly occurred.

Courts continued to sentence individuals to corporal punishment, but in April the Supreme Court instructed all courts to end flogging as a discretionary (ta’zir) criminal sentence and replace it with prison sentences, fines, or a mixture of both. Flogging still could be included in sentences for three hudud crimes: drunkenness, sexual conduct between unmarried persons, and false accusations of adultery. The Supreme Court stated the reform was intended to “bring the Kingdom in line with international human rights norms against corporal punishment.”
Impunity was a problem in the security forces. The ongoing crackdown on corruption, including the investigation of security services personnel, and the announced reform of the legal code indicate efforts to address impunity.

**Prison and Detention Center Conditions**

Prison and detention center conditions varied, and some did not meet international standards; reported problems included overcrowding and inadequate conditions.

**Physical Conditions:** Juveniles constituted less than 1 percent of detainees and were held in separate facilities from adults, according to available information.

Authorities held pretrial detainees together with convicted prisoners. They separated persons suspected or convicted of terrorism offenses from the general population but held them in similar facilities. Activists alleged that authorities sometimes detained individuals in the same cells as individuals with mental disabilities as a form of punishment and indicated that authorities mistreated persons with disabilities.

Authorities differentiated between violent and nonviolent prisoners, sometimes pardoning nonviolent prisoners to reduce the prison population. Shia inmates were in some cases held in separate wings of prisons and reportedly faced worse conditions than Sunnis.

Certain prisoners convicted on terrorism-related charges were required to participate in government-sponsored rehabilitation programs before consideration of their release.

In a June 7 report, the *Guardian* newspaper quoted rights groups as saying that al-Ha’ir Prison in Riyadh has long been associated with physical abuse. An ALQST representative alleged the general criminal area of al-Ha’ir was overcrowded and had poor sanitation and that denial of medical treatment and temporary transfer of political prisoners into the overcrowded general criminal prison were used as punishment.

On March 26, the HRC announced that authorities released 250 foreign detainees held on nonviolent immigration and residency offenses as part of efforts to contain the spread of COVID-19.
On April 24, human rights defender Abdullah al-Hamid, 69, died in detention. Prisoners of Conscience, which tracks human rights-related cases in the country, asserted his death was due to “intentional health neglect” by prison authorities. According to ALQST and HRW, al-Hamid’s health deteriorated after authorities delayed a necessary heart operation. ALQST and HRW also reported that authorities took steps to prevent him from discussing his health condition with his family. Al-Hamid, cofounder of the Saudi Civil and Political Rights Association (known as ACPRA), was serving an 11-year prison sentence following his conviction in 2013 on charges related to his peaceful political and human rights activism. On June 2, UN experts sent the government a letter expressing deep concern over al-Hamid’s death in detention.

Administration: There were multiple legal authorities for prisons and detention centers. The General Directorate of Prisons administered approximately 91 detention centers, prisons, and jails, while the Mabahith administered approximately 20 regional prisons and detention centers for security prisoners. The law of criminal procedure gives the PPO the authority to conduct official visits of prisons and detention facilities “within their jurisdictional areas to ensure that no person is unlawfully imprisoned or detained.”

No ombudsmen were available to register or investigate complaints made by prisoners, although prisoners could and did submit complaints to the HRC, which has offices in a number of prisons, and the quasi-governmental National Society for Human Rights (NSHR) for follow up. The law of criminal procedure provides that “any prisoner or detainee shall have the right to submit, at any time, a written or verbal complaint to the prison or detention center officer and request that he communicate it to a member of the [former] Bureau of Investigations and Public Prosecution [renamed the PPO].” Inmates, however, required approval from prison authorities to submit complaints to an HRC office. Under the law there is no right to submit complaints directly to judicial authorities. There was no information available on whether prisoners were able to submit complaints to prison or prosecutorial authorities without censorship or whether authorities responded or acted upon complaints.

On January 13, the PPO launched Ma’akom, an electronic service that allows citizens and residents to submit complaints in case of any violation of the rights of detainees. Sheikh Abdullah bin Nasser al-Muqbel, the PPO’s assistant undersecretary for prison supervision and enforcement of sentences, declared, “The PPO will follow up on the case, go to where the detainee is held, conduct the necessary investigations, order the detainee’s release if there are irregularities in
his arrest, and take necessary measures against perpetrators of the illegal arrest.” There were no updates on implementation of the system by year’s end.

Record keeping on prisoners was inadequate; there were reports authorities held prisoners after they had completed their sentences.

A Ministry of Interior-run website (Nafetha) provided detainees and their relatives access to a database containing information about the legal status of the detainee, including any scheduled trial dates. Activists said the website did not provide information about all detainees.

Authorities generally permitted relatives and friends to visit prisoners twice a week, although certain prisons limited visitation to once or twice a month. Prisoners were typically granted at least one telephone call per week. There were reports that prison, security, or law enforcement officials denied this privilege in some instances, often during investigations. The families of detainees could access the Nafetha website for applications for prison visits, temporary leave from prison (generally approved around post-Ramadan Eid holidays), and release on bail (for pretrial detainees). Some family members of detained persons under investigation said family visits were typically not allowed, while others said allowed visits or calls were extremely brief (less than five minutes). Authorities at times reportedly denied some detainees weekly telephone calls for several months. Some family members of prisoners complained authorities canceled scheduled visits with relatives without reason. Since March human rights groups reported that in-person visitation in prisons was suspended due to COVID-19 restrictions.

Authorities generally permitted Muslim detainees and prisoners to perform religious observances such as prayers.

Independent Monitoring: Independent institutions were not permitted to conduct regular, unannounced visits to places of detention, according to the UN Committee against Torture. During the year the government permitted some foreign diplomats restricted access to some prison facilities in nonconsular cases. In a limited number of cases, foreign diplomats were granted consular visits to individuals in detention, but the visits took place in a separate visitors’ center where conditions may differ from those in the detention facilities holding the prisoners.

The government permitted the HRC and quasi-governmental NSHR to monitor prison conditions. The organizations stated they visited prisons throughout the country and reported on prison conditions. On July 9, local media reported the
HRC conducted 2,094 prison visits during the fiscal year 2019-20, including visits to public prisons, security prisons, and various detention centers, as well as “social observation centers” and girls’ welfare institutions.

**Improvements:** On April 7, King Salman ordered the temporary suspension of execution of final verdicts and judicial orders related to the imprisonment of debtors involved in private rights-related cases in an effort to reduce the prison population and limit the spread of COVID-19. He also ordered the immediate, temporary release of prisoners already serving time for debt-related convictions.

d. **Arbitrary Arrest or Detention**

The law provides that no entity may restrict a person’s actions or imprison a person, except under the provisions of the law. The law of criminal procedure provides that authorities may not detain a person for more than 24 hours, but the Ministry of Interior and the SSP, to which the majority of forces with arrest powers reported, maintained broad authority to arrest and detain persons indefinitely without judicial oversight, notification of charges, or effective access to legal counsel or family.

**Arrest Procedures and Treatment of Detainees**

On May 11, the Council of Ministers established a new system for the PPO and amended Article 112 of the law of criminal procedure, giving the PPO “complete and independent powers” to identify major crimes that require detention, according to local media. On August 21, Public Prosecutor Saud al-Mu’jab issued a list of 25 major crimes that mandate arrest and pretrial detention, including types of border crimes, corruption, homicide, and offenses against national security, among others.

According to the law of criminal procedure, “no person shall be arrested, searched, detained, or imprisoned except in cases provided by law, and any accused person shall have the right to seek the assistance of a lawyer or a representative to defend him during the investigation and trial stages.” By law authorities may summon any person for investigation and may issue an arrest warrant based on evidence. In practice authorities frequently did not use warrants, and warrants were not required under the law in all cases.

The law requires authorities to file charges within 72 hours of arrest and hold a trial within six months, subject to exceptions specified by amendments to the law of criminal procedure and the counterterrorism law (see section 2.a.). Authorities
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may not legally detain a person under arrest for more than 24 hours, except pursuant to a written order from a public investigator. Authorities reportedly often failed to observe these legal protections, and there was no requirement to advise suspects of their rights.

The law specifies procedures required for extending the detention period of an accused person beyond the initial five days. Authorities may approve detentions in excess of six months in “exceptional circumstances,” effectively allowing individuals to be held in pretrial detention indefinitely in cases involving terrorism or “violations of state security.” There is a functioning bail system for less serious criminal charges. The PPO may order the detention of any person accused of a crime under the counterterrorism law for up to 30 days, renewable up to 12 months, and in state security cases up to 24 months with a judge’s approval.

By law defendants accused of any crime cited in the law are entitled to hire a lawyer to defend themselves before the court “within an adequate period of time to be decided by the investigatory body.” In cases involving terrorism or state security charges, detainees generally did not have the right to obtain a lawyer of their choice. The government provided lawyers to defendants who made a formal application to the Ministry of Justice to receive a court-appointed lawyer and proved their inability to pay for their legal representation.

There were reports authorities did not always allow legal counsel access to detainees who were under investigation in pretrial detention. Authorities indicated a suspect could be held up to 12 months in investigative detention without access to legal counsel if authorized by prosecutors. Judicial proceedings begin after authorities complete a full investigation.

The king continued the tradition of commuting some judicial punishments. Royal pardons sometimes set aside a conviction and sometimes reduced or eliminated corporal punishment. The remaining sentence could be added to a new sentence if the pardoned prisoner committed a crime subsequent to release.

Authorities commuted the sentences of some who had received prison terms. The counterterrorism law allows the PPO to stop proceedings against an individual who cooperates with investigations or helps thwart a planned terrorist attack. The law authorizes the SSP to release individuals already convicted in such cases.

**Arbitrary Arrest:** Rights groups received reports from families claiming authorities held their relatives arbitrarily or without notification of charges. During the year
authorities detained without charge security suspects, persons who publicly criticized the government, Shia religious leaders, individuals with links to rights activists, and persons accused of violating religious standards.

On September 4, Prisoners of Conscience reported that the SCC sentenced six academics and journalists detained in 2017, including Abdullah al-Maliki, Fahd al-Sunaidi, Khalid al-Ajeemi, Ahmed al-Suwayan, Ibrahim al-Harthi, and Yousef al-Qassem, to prison sentences of three to seven years. Saudi rights activist Yahya al-Assiri stated the men were arbitrarily detained and that their convictions were based on solely on tweets.

Pretrial Detention: In August, ALQST and the Geneva-based MENA Rights Group lodged a complaint to the UN Working Group on Arbitrary Detention and the Special Procedures of the UN Human Rights Council in Geneva over the “arbitrary” detention of Prince Salman bin Abdulaziz bin Salman and his father. In 2018 Prince Salman was detained along with 11 other princes after they staged what the PPO called a “sit-in” at a royal palace in Riyadh to demand the state continue to pay their electricity and water bills. Sources told AFP that the prince and his father have never been interrogated or charged since their detention began more than two and a half years ago.

Incommunicado detention was also a problem (see section 1.b.). Authorities reportedly did not always respect a detainees’ right to contact family members following detention, and the counterterrorism law allows the investigatory body to hold a defendant for up to 90 days in detention without access to family members or legal counsel (and the SCC may extend such restrictions beyond this period). Security and some other types of prisoners sometimes remained in prolonged solitary detention before family members or associates received information of their whereabouts, particularly for detainees in Mabahith-run facilities.

On September 6, HRW stated authorities denied some prominent detainees, including former crown prince Mohammed bin Nayef and Muslim scholar Salman al-Odah, contact with their family members and lawyers for months. After almost three months in incommunicado detention, according to HRW, family members of women’s rights activist Loujain al-Hathloul said authorities allowed her parents to visit on August 31, following her six-day hunger strike; she started another hunger strike October 26 in protest of prison conditions (see section 1.e., Political Prisoners and Detainees).
Detainee’s Ability to Challenge Lawfulness of Detention before a Court: Under the law detainees are not entitled to challenge the lawfulness of their detention before a court. In the case of wrongful detention, the law of criminal procedure, as well as provisions of the counterterrorism law, provide for the right to compensation if detainees are found to have been held unlawfully.

e. Denial of Fair Public Trial

The law provides that judges are independent and not subject to any authority other than the provisions of sharia and the laws in force. Nevertheless, the judiciary, the PPO, and the SSP were not independent entities, as they were required to coordinate their decisions with executive authorities, with the king and crown prince as arbiters. Although public allegations of interference with judicial independence were rare, the judiciary reportedly was subject to influence, particularly in the case of legal decisions rendered by specialized judicial bodies, such as the SCC, which rarely acquitted suspects. Human rights activists reported that SCC judges received implicit instructions to issue harsh sentences against human rights activists, reformers, journalists, and dissidents not engaged in violent activities. Activists also reported that judicial and prosecutorial authorities ignored due process-related complaints, including lack of access by lawyers to their clients at critical stages of the judicial process, particularly during the pretrial investigation phase.

Women’s ability to practice law was limited; there were no women on the High Court or Supreme Judicial Council and no female judges or public prosecutors. On June 17, the Shoura rejected a proposal to study appointing women as judges in personal status courts. In August 2019, however, the PPO announced the appointment of 50 women as public prosecution investigators, marking the first time that women had held this position. On June 4, the PPO appointed an additional 53 women as public prosecution investigators.

Defendants are able to appeal their sentences. The law requires a five-judge appellate court to affirm a death sentence, which a five-judge panel of the Supreme Court must unanimously affirm. Appellate courts may recommend changes to a sentence, including increasing the severity of a lesser sentence (up to the death penalty), if the trial court convicted the defendant of a crime for which capital punishment is permitted.

Defendants possess the right under the law to seek commutation of a death sentence for some crimes and may receive a royal pardon under specific
circumstances (see section 1.d.). In some prescribed cases (qisas), the families of the deceased may accept compensation from the family of the person convicted in an unlawful death, sparing the convicted from execution.

On February 6, Amnesty International reported that authorities were using the SCC “to systematically silence dissent.” Amnesty accused the SCC of using overly broad counterterror and anticybercrime laws in unfair trials to hand down prison sentences of up to 30 years as well as the death penalty to human rights defenders, writers, economists, journalists, religious clerics, reformists, and political activists, particularly from the Shia minority. Amnesty asserted that “every stage of the SCC’s judicial process is tainted with human rights abuses, from the denial of access to a lawyer, to incommunicado detention, to convictions based solely on so-called ‘confessions’ extracted through torture.”

On April 17, HRW reported 68 Palestinians and Jordanians on trial before the SCC on the charge of links with an unnamed “terrorist organization” were subjected to a range of abuses, including forced disappearances, long-term solitary confinement, and torture, according to their family members, and that their trial raised serious due process concerns.

**Trial Procedures**

In the judicial system, there traditionally was no published case law on criminal matters, no uniform criminal code, no presumption of innocence, and no doctrine of stare decisis that binds judges to follow legal precedent. The Justice Ministry continued to expand a project started in 2007 to distribute model judicial decisions to ensure more uniformity of legal application, and as recently as August 2019, the ministry published judicial decisions on its website. The law states that defendants should be treated equally in accordance with sharia. The Council of Senior Scholars, or the ulema, an autonomous advisory body, issues religious opinions (fatwas) that guide how judges interpret sharia.

In the absence of a formalized penal code that details all criminal offenses and punishments, judges in the courts determine many of these penalties through their interpretations of sharia, which varied according to the judge and the circumstances of the case. Because judges have considerable discretion in decision making, rulings and sentences diverged widely from case to case.

Several laws, however, provide sentencing requirements for crimes including terrorism, cybercrimes, trafficking in persons, and domestic abuse. In 2016 the
Ministry of Justice issued a compilation of previous decisions that judges could refer to as a point of reference in making rulings and assigning sentences.

Appeals courts cannot independently reverse lower-court judgments; they are limited to affirming judgments or returning them to a lower court for modification. Even when judges did not affirm judgments, appeals judges in some cases remanded the judgment to the judge who originally authored the opinion. This procedure sometimes made it difficult for parties to receive a ruling that differed from the original judgment in cases where judges hesitated to admit error. While judges may base their decisions on any of the four Sunni schools of jurisprudence, all of which are represented in the Council of Senior Scholars, the Hanbali School predominates and forms the basis for the country’s law and legal interpretations of sharia. Shia citizens use their legal traditions to adjudicate family law cases between Shia parties, although either party can decide to adjudicate a case in state courts, which apply Sunni legal traditions.

While the law states that court hearings shall be public, courts may be closed at the judge’s discretion. As a result, many trials during the year were closed. Since 2018 the Ministry of Foreign Affairs barred foreign diplomatic missions from attending court proceedings at the SCC as well as trials related to security and human rights issues. Diplomatic personnel were generally allowed to attend consular proceedings of their own citizens. Some family members of prisoners complained that neither they nor the legal representatives of the accused were permitted access to trials or notified about the status of trial proceedings. In a number of cases, family members were given only 24 hours’ notice before an SCC trial hearing.

According to the Ministry of Justice, authorities may close a trial depending on the sensitivity of the case to national security, the reputation of the defendant, or the safety of witnesses. Representatives of the HRC sometimes attended trials at the SCC.

According to the law, authorities must offer defendants a lawyer at government expense. In 2017 the Ministry of Justice stated that defendants “enjoy all judicial guarantees they are entitled to, including the right to seek the assistance of lawyers of their choosing to defend them, while the ministry pays the lawyer’s fees when the accused is not able to settle them.” Activists alleged that many political prisoners were not able or allowed to retain an attorney or consult with their attorneys during critical stages of the investigatory and trial proceedings. Detained
human rights activists often did not trust the courts to appoint lawyers for them due to concerns of lawyer bias.

The law provides defendants the right to be present at trial and to consult with an attorney during the trial. The counterterrorism law, however, authorizes the attorney general to limit the right of defendants accused of terrorism to access legal representation while under investigation “whenever the interests of the investigation so require.” There is no right to discovery, nor can defendants view their own file or the minutes from their interrogation. Defendants have the right to call and cross-examine witnesses under the law. Activists reported, however, that SCC judges could decide to restrict this right in “the interests of the case.” The law provides that a PPO-appointed investigator question the witnesses called by the defendant during the investigation phase before the initiation of a trial. The investigator may also hear testimony of additional witnesses he deems necessary to determine the facts. Authorities may not subject a defendant to any coercive measures or compel the taking of an oath. The court must inform convicted persons of their right to appeal rulings.

The law does not provide for a right against self-incrimination.

The law does not provide free interpretation services, although services were often provided in practice. The law of criminal procedure provides that “the court should seek the assistance of interpreters,” but it does not obligate the court to do so from the moment the defendant is charged, nor does the law specify that the state will bear the costs of such services.

While sharia as interpreted by the government applies to all citizens and noncitizens, the law in practice discriminates against women, noncitizens, nonpracticing Sunni Muslims, Shia Muslims, and persons of other religions. In some cases the testimony of a woman equals half that of a man. Judges have discretion to discount the testimony of nonpracticing Sunni Muslims, Shia Muslims, or persons of other religions; sources reported judges sometimes completely disregarded or refused to hear testimony by Shia Muslims.

**Political Prisoners and Detainees**

The government maintained there were no political prisoners, including detainees who reportedly remained in prolonged detention without charge, while local activists and human rights organizations claimed there were “hundreds” or “thousands.” Credible reporting by advocacy groups and press suggested
authorities detained persons for peaceful activism or political opposition, including nonviolent religious figures, women’s rights defenders, and human rights activists, and those who the government claimed posted offensive or antigovernment comments on social media sites.

In many cases it was impossible to determine the legal basis for incarceration and whether the detention complied with international norms and standards. During the year the SCC tried political and human rights activists for nonviolent actions unrelated to terrorism, violence, or espionage against the state. Authorities restricted attorneys’ access to detainees on trial at the SCC.

International NGOs, the United Nations, and others criticized the government for abusing its antiterrorism legal authorities to detain or arrest some dissidents or critics of the government or royal family on security-related grounds, who had not espoused or committed violence. At least 192 persons remained in detention for activism, criticism of government leaders or policies, impugning Islam or religious leaders, or “offensive” internet postings, including prominent activists such as Raif Badawi, Mohammed al-Qahtani, Naimah Abdullah al-Matrod, Maha al-Rafidi, Eman al-Nafjan, Waleed Abu al-Khair, and Nassima al-Sadah; clerics including former grand mosque imam Salih al-Talib; and Sahwa movement figures Safar al-Hawali, Nasser al-Omar, and others.

Between January and March, the Riyadh Criminal Court resumed trials against 11 women activists, including several arrested in 2018. Among them were Nassima al-Sadah, Samar Badawi, Mayaa al-Zahrani, Nouf Abdelaziz al-Jerawi, and Loujain al-Hathloul--all of whom remained detained and faced charges related to their human rights work and contact with international organizations, foreign media, and other activists. The women were accused of violating the cybercrimes law, which prohibits production of materials that harm public order, religious values, or public morals, and carries penalties of up to five years in prison and a fine of up to three million riyals ($800,000). On November 25, all five appeared in criminal court, where the judge referred al-Hathloul’s case to the SCC. There was no information about the outcome of the hearing for al-Sadah, Badawi, al-Zahrani and al-Jerawi.

On August 26, media reported authorities severed contact between some detainees and their families, including Loujain al-Hathloul (see section 1.d.), Princess Basmah bint Saud, and Salman al-Odah.
On December 22, the Riyadh Criminal Court dismissed al-Hathloul’s complaint that she had been tortured during the first months of her detention. On December 28, the SCC found al-Hathloul guilty of violating the antiterrorism law, specifically by “seeking to implement a foreign agenda and change the Basic Law of Governance,” through online activity. She was sentenced to five years and eight months in prison with two years and 10 months of that suspended and credit for time served since her May 2018 arrest.

**Politically Motivated Reprisal against Individuals Located Outside the Country**

In August, Saad al-Jabri, a former high-ranking Saudi intelligence official who fled the country in 2016, filed a suit in Canada alleging that a hit squad (Tiger Squad) had been sent to track and kill him in 2018. The team was reportedly stopped by Canadian border services and refused entry, around the same time that Saudi officials killed Jamal Khashoggi in Istanbul. The suit also alleged al-Jabri’s family members were held hostage in Saudi Arabia and that spyware was implanted on his smartphone. According to media reports, INTERPOL lifted a Red Notice that Saudi Arabia filed against him in 2017 on the basis that it was politically motivated.

**Civil Judicial Procedures and Remedies**

Complainants claiming human rights violations generally sought assistance from the HRC or the NSHR, which either advocated on their behalf or provided courts with opinions on their cases. The HRC generally responded to complaints and could refer cases to the PPO; domestic violence cases were the most common. Individuals or organizations may petition directly for damages or government action to end human rights violations before the Board of Grievances, except in compensation cases related to state security, where the SCC handles remediation. The counterterrorism law contains a provision allowing detainees in Mabahith-run prisons to request financial compensation from the Ministry of Interior/SSP for wrongful detention beyond their prison terms. In some cases the government did not carry out judicially ordered compensation for unlawful detentions in a timely manner.

**f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**
The law prohibits unlawful intrusions into the privacy of persons, their homes, places of work, and vehicles. Criminal investigation officers are required to maintain records of all searches conducted; these records should contain the name of the officer conducting the search, the text of the search warrant (or an explanation of the urgency that necessitated the search without a warrant), and the names and signatures of the persons who were present at the time of search. While the law also provides for the privacy of all mail, telegrams, telephone conversations, and other means of communication, the government did not respect the privacy of correspondence or communications and used the considerable latitude provided by the law to monitor activities legally and intervene where it deemed necessary.

Authorities targeted family members of activists and critics of the government. On May 12, security officers raided the home of Saad al-Jabri’s brother, Abdulrahman, a professor at King Saud University, and detained him without explanation, according to HRW. On August 24, authorities arrested Saad al-Jabri’s son-in-law, Salem Almuzaini. His family said he was arrested without charge or justifiable cause, alleging the detention was in retaliation against and aiming to intimidate Saad al-Jabri for filing a lawsuit against Saudi government officials in a foreign court.

There were reports from human rights activists of governmental monitoring or blocking of mobile telephone or internet usage. The government strictly monitored politically related activities and took punitive actions, including arrest and detention, against persons engaged in certain political activities, such as calling for a constitutional monarchy, publicly criticizing senior members of the royal family by name, forming a political party, or organizing a demonstration (see section 2.a.). Customs officials reportedly routinely opened mail and shipments to search for contraband. In some areas, Ministry of Interior/SSP informants allegedly reported “seditious ideas,” “antigovernment activity,” or “behavior contrary to Islam” in their neighborhoods.

Encrypted communications were banned, and authorities frequently attempted to identify and detain anonymous or pseudonymous users and writers who made critical or controversial remarks. Government authorities regularly surveilled websites, blogs, chat rooms, social media sites, emails, and text messages. Media outlets reported that authorities gained access to dissidents’ Twitter and social media accounts and in some cases questioned, detained, or prosecuted individuals for comments made online. The counterterrorism law allows the Ministry of Interior/SSP to access a terrorism suspect’s private communications and banking
information in a manner inconsistent with the legal protections provided by the law of criminal procedure.

The Committee for the Promotion of Virtue and the Prevention of Vice (CPVPV) is charged with monitoring and regulating public interaction between members of the opposite sex, although in practice CPVPV authorities were greatly curtailed compared with past years.

g. Abuses in Internal Conflict

For information on Saudi Arabia’s conflict in Yemen previously found in this section, please see the executive summary and section 1.a. of this report and the Department of State’s Country Reports on Human Rights Practices for Yemen.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The law does not provide for freedom of expression, including for the press. The Basic Law specifies, “Mass media and all other vehicles of expression shall employ civil and polite language, contribute towards the education of the nation, and strengthen unity. Media are prohibited from committing acts that lead to disorder and division, affect the security of the state or its public relations, or undermine human dignity and rights.” Authorities are responsible for regulating and determining which speech or expression undermines internal security. The government can ban or suspend media outlets if it concludes they violated the press and publications law, and it monitored and blocked hundreds of thousands of internet sites. There were frequent reports of restrictions on free speech.

The counterterrorism law’s definition of terrorism includes “any conduct…intended to disturb public order…or destabilize the state or endanger its national unity.” The law also penalizes “anyone who challenges, either directly or indirectly, the religion or justice of the king or crown prince…or anyone who establishes or uses a website or computer program…to commit any of the offenses set out in the law.” Local human rights activists, international human rights organizations, and the UN special rapporteur on human rights and counterterrorism criticized the law for its overly broad and vague definitions of terrorism and complained that the government used it to prosecute peaceful expression and dissent.
Freedom of Speech: The government monitored public expressions of opinion and took advantage of legal controls to impede the free expression of opinion and restrict individuals from engaging in public criticism of the political sphere. The law forbids apostasy and blasphemy, which can carry the death penalty, although there were no recent instances of death sentences being carried out for these crimes (see section 1.a.). Statements that authorities construed as constituting defamation of the king, monarchy, governing system, or Al Saud family resulted in criminal charges for citizens advocating government reform. The government prohibits public employees from directly or indirectly engaging in dialogue with local or foreign media or participating in any meetings intended to oppose state policies.

The government detained a number of individuals for crimes related to their exercise of free speech during the year. On February 27, the UN high commissioner for human rights, Michelle Bachelet, urged the government to uphold the freedoms of expression and peaceful assembly and review convictions of activists, religious leaders, and journalists.

ALQST reported that authorities arrested Hezam al-Ahmari on February 10 for filming and publishing a video complaining about the opening of a nightclub in his neighborhood in Jeddah. It said he was charged with “inciting public opinion,” under Article 6 of the cybercrimes law.

In March the PPO stated it ordered the arrest of “three people who exploited social media to interpret God’s will amid the coronavirus.” The arrestees, including Quran reciter Khaled al-Shahri, preacher Ibrahim al-Duwaish, and health worker Khaled Abdullah, tweeted or appeared in a video claiming the spread of novel coronavirus was a “punishment from Allah (God),” according to Prisoners of Conscience.

On April 8, the PPO announced that the dissemination of misinformation related to COVID-19 would be punishable under the cybercrimes law, adding that the PPO’s Social Media Monitoring Unit would track offensive and illegal social media content and report violations to authorities. Several persons were reportedly arrested and charged for “rumor mongering” and “disrupting order” for comments related to COVID-19. The PPO stated it ordered “the arrest of a person who appeared in a video mocking the COVID-19 crisis and giving misleading information about the current situation.”

On April 1, Prisoners of Conscience reported that authorities arrested a number of social media personalities, including Rakan al-Assiri, Mohammed al-Fawzan,
Majed al-Ghamdi, and Mohammed al-Jedaie, over old tweets and videos expressing personal views, while Ministry of Interior spokesperson Lieutenant Colonel Talal al-Shalhoub stated they were arrested for breaking COVID-19 curfew restrictions.

Freedom of Press and Media, Including Online Media: The Press and Publications Law governs printed materials; printing presses; bookstores; the import, rental, and sale of films; television and radio; foreign media offices and their correspondents; and online newspapers and journals. Media fall under the jurisdiction of the Ministry of Media. The ministry may permanently close “whenever necessary” any means of communication—defined as any means of expressing a viewpoint that is meant for circulation—that it deems is engaged in a prohibited activity, as set forth in the law.

Media policy statements urged journalists to uphold Islam, oppose atheism, promote Arab interests, and preserve cultural heritage. A 2011 royal decree amended the press law to strengthen penalties, create a special commission to judge violations, and require all online newspapers and bloggers to obtain a license from the ministry. The decree bans publishing anything “contradicting sharia, inciting disruption, serving foreign interests that contradict national interests, and damaging the reputation of the grand mufti, members of the Council of Senior Religious Scholars, or senior government officials.”

The law states that violators can face substantial fines for each violation of the law, which doubles if the violation is repeated. Other penalties include banning individuals from writing. While the Violations Considerations Committee in the Ministry of Media has formal responsibility for implementing the law, the Ministry of Interior, the CPVPV, and judges considered these issues regularly and exercised wide discretion in interpreting the law. It was unclear which of these institutional processes accords with the law.

Although unlicensed satellite dishes were illegal, the government did not enforce restrictions on them, and their use was widespread. Many foreign satellite stations broadcast a wide range of programs into the country in Arabic and other languages, including foreign news channels. Access to foreign sources of information, including via satellite dishes and the internet, was common. Foreign media were subject to licensing requirements from the Ministry of Media and could not operate freely. Some privately owned satellite television networks, headquartered outside the country, maintained local offices and operated under a system of self-censorship.
Violence and Harassment: Authorities subjected journalists, writers, and bloggers to arrest, imprisonment, and harassment during the year (see sections 1.c., Prison and Detention Center Conditions and 1.e., Political Prisoners and Detainees). NGOs, academics, and the press claimed the government targeted dissidents using automated social media accounts to ensure that progovernment messages dominated social media trend lists and effectively silenced dissenting voices. Automated account activity was reportedly accompanied by online harassment by progovernment accounts in some instances.

On July 19, writer and journalist Saleh al-Shehi died in the hospital two months after his early release from prison due to poor health. Al-Shehi had served more than two years of a five-year sentence for insulting, defaming, and offending the royal court and its staff after accusing the royal court of corruption. Local media reported COVID-19 as the cause of death. According to the GCHR, his health deteriorated while in prison. Reporters without Borders, the GCHR, and ALQST called for an independent international inquiry into al-Shehi’s death.

On July 21, ALQST reported that in late April authorities arrested journalist Aql al-Bahili, writer Abdulaziz al-Dukhail, and activist Sultan al-Ajmi, among other journalists and intellectuals, for tweeting condolences following the death of reformer and rights activist Abdullah al-Hamid (see section 1.a.).

Censorship or Content Restrictions: The government reportedly penalized those who published items counter to government guidelines and directly or indirectly censored media by licensing domestic media and by controlling importation of foreign printed material.

All newspapers, blogs, and websites in the country must be government licensed. The Ministry of Media must approve the appointment of all senior editors and has authority to remove them. The government provided guidelines to newspapers regarding controversial issues. The Saudi Press Agency reported official government news. The government owned most print and broadcast media and book publication facilities in the country, and members of the royal family owned or influenced privately owned and nominally independent operations, including various media outlets and widely circulated pan-Arab newspapers published outside the country. Authorities prevented or delayed the distribution of foreign print media covering issues considered sensitive, effectively censoring these publications.
The government censored published online and print material it considered blasphemous, extremist, racist, offensive, or inciting chaos, violence, sectarianism, or harm to the public order, as well as criticism of the royal family or its allies among the Gulf Arab states.

On April 6, local media reported that the governor of Asir Province, Prince Turki bin Talal bin Abdulaziz Al Saud, ordered the suspension of two episodes of a drama series deemed offensive to the population of Asir.

Online self-censorship was pervasive, as social media users were extremely cautious about what they post, share, or “like” due to the threat of harassment or prosecution under broadly worded antiterrorism and other laws. The government closely monitored and often targeted users who expressed support for liberal ideals, minority rights, or political reform, in addition to those who exposed human rights violations. Questioning religious doctrine was strictly taboo, particularly content related to the Prophet Muhammed. Twitter users were fearful of expressing support for outspoken activists who were detained or received prison sentences. Such pressures reportedly led many users to join social media networks that offer more privacy, such as Snapchat and Path.

In some cases, however, individuals criticized specific government bodies or actions publicly without repercussions.

**Libel/Slander Laws:** The cybercrimes law provides for a maximum penalty of one year’s imprisonment for “defamation and infliction of damage upon others through the use of various information technology devices,” including social media and social networks.

**National Security:** Authorities used the cybercrimes law and the counterterrorism law to restrict freedom of expression, including by prosecuting numerous individuals under these laws on charges related to statements made on social media.

**Internet Freedom**

The Ministry of Media or its agencies must authorize all websites registered and hosted in the country. The General Commission for Audiovisual Media has responsibility for regulating all audio and video content in the country, including satellite channels, film, music, internet, and mobile applications, independent from the Ministry of Commerce and Industry. Internet access was widely available.
The press and publications law implicitly covers electronic media, since it extends to any means of expression of a viewpoint meant for circulation, ranging from words to cartoons, photographs, and sounds. Laws, including the cybercrimes law, criminalize a number of internet-related activities, including defamation, hacking, unauthorized access to government websites, and stealing information related to national security as well as the creation or dissemination of a website for a terrorist organization. Security authorities actively monitored internet activity, both to enforce laws, regulations, and societal norms and to monitor recruitment efforts by extremist organizations such as ISIS.

The government reportedly collected information concerning the identity of persons peacefully expressing political, religious, or ideological opinions or beliefs online. According to Freedom House, authorities regularly monitored nonviolent political, social, and religious activists and journalists in the name of national security and maintaining social order.

Multiple rights groups reported that at least six individuals who had anonymous Twitter accounts critical of the government were arrested subsequent to a breach of Twitter user data.

Access to the internet is legally available only through government-authorized internet service providers (ISPs). The government required ISPs to monitor customers and required internet cafes to install hidden cameras and provide identity records of customers. Although authorities blocked websites offering proxies, persistent internet users accessed the unfiltered internet via other means.

On a number of occasions, government officials and senior clerics publicly warned against inaccurate reports on the internet and reminded the public that criticism of the government and its officials should be done through private channels, including official complaint processes.

The government charged those using the internet to express dissent against officials or religious authorities with terrorism, blasphemy, and apostasy.

The press and publications law criminalizes the publication or downloading of offensive sites, and authorities routinely blocked sites containing material perceived as harmful, illegal, offensive, or anti-Islamic. The governmental Communications and Information Technology Commission (CITC) filtered and blocked access to websites it deemed offensive, including sexual content, as well
as pages calling for domestic political, social, or economic reforms or supporting human rights, including websites of expatriate Saudi dissidents.

The CITC coordinated decisions with the Saudi Arabian Monetary Agency on blocking phishing sites seeking to obtain confidential personal or financial information. Authorities submitted all other requests to block sites to an interagency committee, chaired by the Ministry of Interior, for decision. Under the Telecommunication Act, failure by ISPs to block banned sites can result in a substantial fine.

Several voice-over-internet-protocol call services, including WhatsApp, remained blocked and only accessible using a virtual private network.

Authorities blocked websites of some news and advocacy groups deemed critical of the government, including London-based al-Araby al-Jadeed, the Arab Network for Human Rights Information, and the global advocacy organization Avaaz. Authorities also blocked the website of the Islamic Umma Party, which operated underground because political parties are illegal (see section 3).

The government blocked Qatari websites, such as al-Jazeera, since 2017, due to a dispute between Qatar and a group of countries that included Saudi Arabia. In April the government blocked access to the websites of the Turkish official news agency, Anadolu Agency and the Turkish public broadcaster TRT’s Arabic edition. Writing for blocked websites, providing them with materials to publish, or promoting alternative addresses to access them is a crime under the cybercrimes law.

**Academic Freedom and Cultural Events**

The government restricted some public artistic expression but opened up cultural expression in a number of areas. Academics reportedly practiced self-censorship, and authorities prohibited professors and administrators at public universities from hosting meetings at their universities with foreign academics or diplomats without prior government permission (see section 2.b., Freedom of Association).

On April 14, local media reported that Umm al-Qura University suspended a staff member and a student following their circulation of “deviant ideologies” on Twitter.
In 2016 King Salman issued royal decrees creating the General Entertainment Authority and the General Authority for Culture with a mandate to expand the country’s entertainment and cultural offerings in line with its social and economic reform plan, known as Vision 2030. During the year the General Entertainment Authority sponsored events dedicated to film, comics, music, and dance; however, programs were scaled down due to COVID-19 restrictions.

On February 20, Mecca regional authorities tweeted that the governor had ordered the arrest of female rapper Ayasel al-Bishi, calling the music video of her song “Bint Mecca” (Girl from Mecca) offensive to the customs and traditions of the holy city. Al-Bishi’s Twitter account was suspended, and the video was removed from YouTube. Local media reported that the PPO questioned al-Bishi over filming without a permit and then released her.

b. Freedoms of Peaceful Assembly and Association

The law does not provide for freedom of assembly and association, which the government severely limited.

Freedom of Peaceful Assembly

The law requires a government permit for an organized public assembly of any type. The government categorically forbids participation in political protests or unauthorized public assemblies, and security forces reportedly arrested demonstrators and detained them for brief periods. Security forces at times allowed a small number of unauthorized demonstrations throughout the country.

In May security authorities arrested Egyptian national Hossam Magdy after he allegedly threatened to protest in front of his country’s embassy to demand a seat on a repatriation flight.

Freedom of Association

The law provided for limited freedom of association, but the government strictly restricted this right. The law provides a comprehensive legal framework to govern the establishment, operation, and supervision of associations and foundations. The government prohibited the establishment of political parties. All associations must be licensed by the Ministry of Human Resources and Social Development and comply with its regulations. Some groups that advocated changing elements of the social or political order reported their licensing requests went unanswered for
years, despite repeated inquiries. The ministry reportedly used arbitrary means, such as requiring unreasonable types and quantities of information, to delay and effectively deny licenses to associations. The government also harassed and detained Saudi-based family members and associates of Saudi citizens living abroad who were outspoken critics of the government (see sections 1.b., Disappearances and 1.f., Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence, for more details).

In September, Abdullah al-Maliki, an Islamic intellectual who defended the banned association ACPRA, was sentenced to seven years in prison.

Government-chartered associations limited membership only to citizens.

c. Freedom of Religion

See the Department of State’s International Religious Freedom Report at https://www.state.gov/international-religious-freedom-reports/.

d. Freedom of Movement

The law does not contain provisions for freedom of internal movement, foreign travel, emigration, and repatriation.

In-country Movement: The government generally did not restrict the free movement of male citizens within the country. The guardianship system no longer requires a woman to have the permission of her male guardian (normally a father, husband, son, brother, grandfather, uncle, or other male relative) to move freely within the country (see section 6, Women). On July 14, a court ruled in favor of a woman, whose trial lasted three years, after being charged with absenteeism, or taghayyub, under a law that allows guardians to report the unapproved absence of anyone under their guardianship. The court ruled that living independently did not constitute a criminal act subject to “discretionary” punishment (see section 6, Women).

Authorities respected the right of citizens to change residence or workplace, provided they held a national identification card.

Foreign Travel: There are restrictions on foreign travel. Many foreign workers require an exit visa and a valid passport to depart the country. Saudi citizens of both genders younger than 21, other dependents, or foreign citizen workers under
sponsorship require a guardian’s consent to travel abroad. Royal Decree 134/M of
August 2019 stipulates that citizens of either gender older than 21 can obtain and
renew a passport and travel abroad without guardian permission.

The government reportedly confiscated passports for political reasons and revoked
the rights of some citizens to travel, often without providing them notification or
opportunity to contest the restriction. Most travel bans reportedly involved
individuals in court cases relating to corruption, state security concerns, or labor,
financial, and real estate disputes.

The Washington Post alleged the government increased the use of travel bans as
part of a broader effort to suppress dissent within the royal family and business elite. Media estimated that thousands of Saudis were placed under travel
restrictions, including relatives of citizens detained in the government’s
anticorruption campaign as well as relatives of detained clerics and human rights
activists. The government seized the U.S. passports of the wife and children of
dual U.S.-Saudi citizen Walid Fitaihi, barring them from leaving the kingdom and
freezing their assets following Fitaihi’s detention in 2017. While the international
travel ban for family members had been lifted at times during Fitaihi’s detention, it
was reinstated following Fitaihi’s release on bond and subsequent charging.
Fitaihi was sentenced December 8 to six years in prison; as of year’s end he was
out of prison pending appeal.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

Access to Asylum: The law provides that the “state will grant political asylum if
public interest so dictates.” There are no regulations implementing this provision.
Generally, there is not a codified asylum system for those fleeing persecution, and
the country is not a party to the 1951 Refugee Convention. The government
permitted refugees recognized by the Office of the UN High Commissioner for
Refugees (UNHCR) to stay in the country temporarily, pending identification of a
durable solution, including third-country resettlement or voluntary repatriation.
The government generally did not grant asylum or accept refugees for resettlement
from third countries. Government policy is to refuse refugee status to persons in
the country illegally, including those who have overstayed a pilgrimage visa. The
government strongly encouraged persons without residency to leave, and it
threatened or imposed deportation. Access to naturalization was difficult for refugees.

On April 4 and July 5, the government announced free three-month extensions of residency permits of all expatriates inside the country as well as the visas of visitors whose visa validity expired during the period of COVID-19-related suspension of flights. On April 6, the General Directorate of Passports announced electronic renewal of visitor identification cards for Yemeni citizens until May 14 in accordance with royal directives.

In an August report, HRW alleged that “thousands of Ethiopian migrants are now languishing in squalid detention centers in Saudi Arabia or remain stranded at the border” after being pushed out of Yemen by Houthi forces and COVID-19 travel restrictions with their home countries. Multiple media sources claimed the detainees faced overcrowding, abuse, and poor sanitation at immigration detention facilities in Jizan Province, without the ability to legally challenge their detention, according to HRW. On September 15, the International Organization for Migration expressed alarm at reports of the deteriorating situation and called for urgent action.

Media published purported mobile cell phone images received from migrants held inside immigration detention centers in Jizan, showing dozens of emaciated men lying in rows inside small rooms with barred windows. There were claims that one migrant died of heatstroke, a 16-year-old killed himself, and others lacked adequate food and water.

On November 20, HRW reported that two Uyghur men--Hemdullah Abduweli (or Aimidoula Waili on his Chinese passport) and Nurmemet Rozi (or Nuermaimaiti on his Chinese passport)--were arrested and potentially faced deportation to China. Both were residents in Turkey. Abduweli had been in hiding since February. In a November interview with Middle East Eye, Abduweli claimed that the Chinese government wanted him deported back to China.

The government did not recognize the right of Saudi citizens to petition for access to asylum or refugee status in foreign countries. In several cases the government prosecuted and penalized Saudi citizens who sought asylum in foreign countries, according to multiple sources.

Employment: Refugees and asylum seekers were generally unable to work legally, although Syrian and Yemeni citizens who possessed a temporary visa could obtain
a visitor card from the Ministry of Interior, which reportedly allows these persons to work. The renewable permits are valid for up to six months and tied to the validity period of their temporary visas; men between the ages of 18 and 60 were eligible to apply. In 2017 the General Directorate of Passports allowed Yemeni men to convert their visitor identification card to a residency permit if their Yemeni passport and visitor identification card were valid.

**Access to Basic Services**: The government provides preferential access to education, health care, public housing, and other social services to citizens and certain legal residents. The UNHCR office in Riyadh provided a subsistence allowance covering basic services to a limited number of vulnerable families, based on a needs assessment. Authorities worked with UNHCR to provide medical treatment, also following a needs assessment. On March 30, King Salman ordered free coronavirus treatment for all citizens and residents, regardless of residency status, in all government and private health facilities. In November the government announced all citizens and residents would be provided the COVID-19 vaccine at no cost.

**g. Stateless Persons**

The country had a number of habitual residents who were legally stateless, but data on the stateless population were incomplete and scarce.

Citizenship is legally derived only from the father. Children born to an unmarried citizen mother who is not legally affiliated with the citizen father may be considered stateless, even if the father recognized the child as his. If the government did not authorize the marriage of a citizen father and a noncitizen mother prior to birth of the children, they may also be considered stateless. The nationality laws do not allow Saudi women married to foreign citizens to pass their nationality to their children, except in certain circumstances, such as fathers who are unknown, stateless, of unknown nationality, or do not establish filiation. Sons of citizen mothers and noncitizen fathers may apply for citizenship once they turn 18 (if not already granted citizenship at birth under certain circumstances); daughters in such cases can obtain citizenship only through marriage to a Saudi man. A child may lose legal identification and accompanying rights if authorities withdraw identification documents from a parent (possible when a naturalized parent denaturalizes voluntarily or loses citizenship through other acts). Since there is no codified personal status law, judges make decisions regarding family matters based on their own interpretations of Islamic law.
Foreign male spouses of female citizens can obtain permanent residency in the country without needing a sponsor, and they can receive free government education and medical benefits, although in general they cannot apply for citizenship on the basis of their marriage and residence. These spouses are also included in the quota of Saudis employed in private companies under the labor quota system, which improves their employment prospects. Female citizens must be between the ages of 30 and 50 to marry a non-Saudi man. Non-Saudi wives of Saudi men receive more rights if they have children resulting from their marriage with a Saudi man. Male citizens must be between the ages of 40 and 65 to marry a non-Saudi woman. The extent to which those strictures were enforced was unclear; there was anecdotal evidence they were not uniformly enforced. Children of Saudi women married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother.

In past years, UNHCR unofficially estimated there were 70,000 stateless persons in the country, almost all of whom were native-born residents known locally as Bidoon (an Arabic word that means “without” [citizenship]). Updated information on stateless persons was not available. Bidoon are persons whose ancestors failed to obtain nationality, such as descendants of nomadic tribes not counted among the native tribes during the reign of the country’s founder, King Abdulaziz; descendants of foreign-born fathers who arrived before there were laws regulating citizenship; and rural migrants whose parents failed to register their births. As noncitizens, Bidoon are unable to obtain passports. The government sometimes denied them employment and educational opportunities, and their marginalized status made them among the poorest residents of the country. In recent years the Ministry of Education encouraged them to attend school. The government issues Bidoon five-year residency permits to facilitate their social integration in government-provided health care and other services, putting them on similar footing with sponsored foreign workers. The General Directorate of Passports issued special identification cards to Bidoon similar to residency permits issued to foreigners in the country, but with features entitling their holders to additional government services similar to those available to citizens.

Baloch, West African, and Rohingya Muslims from Burma resident in Saudi Arabia were stateless. Some Rohingya had expired passports that their home government refused to renew; others had entered the country with fraudulent travel documents. Many of them had been held in detention for years following their entry into the country under fake passports. UNHCR estimated there were 280,000 Rohingya in the country. Some of these individuals benefited from a prior program to correct their residency status; in 2014 the government issued nearly
200,000 four-year residency permits to Rohingya who entered the country prior to 2008. Rohingya who arrived in the country after 2008 were not eligible for residency permits, although NGOs reported that Rohingya, including those without legal residency, were generally not subject to deportation prior to 2018. In January the government granted more than 190,000 free, four-year residency permits to Rohingya who were sponsored by companies, institutions, and members of their community.

There were reports of growing anti-Rohingya sentiment related to the perception that the Burmese community in Mecca was spreading COVID-19. On May 4, the government began demolitions of 114 buildings in al-Nakasah, in the municipality of Mecca--an impoverished area inhabited primarily by Rohingya residents. The decision garnered praise on social media, with some social media users referring to Rohingya as “garbage” and accusing them of spreading COVID-19.

There also were between 300,000 and 400,000 Palestinian residents not registered as refugees.

Section 3. Freedom to Participate in the Political Process

The law does not provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage; it establishes an absolute monarchy led by the Al Saud family as the political system. The Allegiance Council, composed of up to 34 senior princes appointed by the king, is formally responsible for selecting a king and crown prince upon the death or incapacitation of either. Only select members of the ruling family have a voice in the choice of leaders, the composition of the government, or changes to the political system.

The law provides citizens the right to communicate with public authorities on any matter and establishes the government on the principle of consultation (Shoura). The king and senior officials, including ministers and regional governors, are required to be available through majlis, open-door meetings where in theory any male citizen or noncitizen may express an opinion or a grievance without an appointment.

Most government ministries and agencies had women’s sections to interact with female citizens and noncitizens, and at least two regional governorates hired female employees to receive women’s petitions and arrange meetings for women with complaints for, or requests of, the governor.
Elections and Political Participation

Recent Elections: In 2015 elections were held for two-thirds of the 3,159 seats on 284 municipal councils; the government appointed the remaining third. Council members serve until an intervening election—nominally for four-year terms—but there was no active discussion of holding municipal elections during the year. Women were allowed to vote and run as candidates for the first time in 2015. The voting age was also lowered universally to 18. The Ministry of Municipal and Rural Affairs actively encouraged women’s participation in the municipal elections. Election regulations prohibited candidates from contesting under party affiliation. Twenty-one women won seats and 17 were appointed to seats, totaling approximately 1 percent of all available seats.

The NSHR observed the elections, and select international journalists were also permitted to observe. Independent polling station observers identified no irregularities with the election. Prior to the election, several candidates reported they were disqualified for “violating the rules and regulations” without further explanation. They had the right to appeal, and some were reinstated in time for the elections. Uniformed members of the security forces, including the military and police, were ineligible to vote.

Political Parties and Political Participation: There were no political parties or similar associations. The law does not protect the right of individuals to organize politically and specifically bans a number of organizations with political wings, including the Muslim Brotherhood, as regional and local terrorist groups. The government continued to regard human rights organizations, such as ACPRA, as illegal political movements and treated them accordingly.

Participation of Women and Members of Minority Groups: The government changed laws and regulations to open new social and economic opportunities for women, but societal and institutional gender discrimination continued to exclude women from some aspects of public life. Political participation remained restricted, and authorities arrested and abused women’s rights activists perceived as critical or independent of the government. Nevertheless, women served in senior advisory positions within government ministries.

In October a royal decree appointed academic Hanan al-Ahmadi to serve as deputy speaker of the Shoura Council, making her the third-ranking official in the Shoura Council and the first woman in that leadership role. Thirty women were members
of the Shoura, or Consultative Council, the 150-person royally appointed body that advises the king and may propose but not pass laws.

On January 28, Shooorooq bint Mohammed al-Jadaan was appointed as the first woman to assume a leadership position at the country’s Alimony Fund. On February 24, the Saudi Sports for All Federation announced the creation of a female soccer league. On June 7, HRC president Awad Alawad appointed Norah bint Mohammed al-Haqbani as the first spokeswoman for the HRC. On July 3, King Salman issued a royal decree appointing 13 women as members of the HRC’s council, giving them half of the 26 seats.

On August 10, the governor of Tabuk Region, Prince Fahd bin Sultan bin Abdulaziz, appointed Khulood Mohammed al-Khamis as the secretary general of Tabuk’s regional council, making her the first woman to hold the role in the kingdom. On August 15, the Presidency of the Two Holy Mosques appointed 10 female officials to leadership positions for the first time, naming Munira bint Awad al-Jamihi to head the General Directorate for Women’s Affairs.

No laws prevent male citizens from minority groups from participating in political life on the same basis as other male citizens. Societal discrimination, however, marginalized the Shia Saudi population, and tribal factors and longstanding traditions continued to dictate many individual appointments to positions. Unofficially, government authorities will not appoint a Bedouin tribesman to a high-ranking ministerial-level position, and Bedouins can reach only the rank of major general in the armed forces. All Council of Ministers members from tribal communities were members of urbanized “Hamael” tribes, rather than Bedouin tribes. While the religious affiliation of Shoura Council members was not known publicly, the council included an estimated seven or eight Shia members. The Council of Ministers contained one religious minority member, Mohammad bin Faisal Abu Saq, a Shia Ismaili, who had held the position of minister of state for Shoura affairs since 2014. Multiple municipal councils in the Eastern Province, where most Shia Saudis resided, had large proportions of Shia Saudis as members to reflect the local population, including a majority in Qatif and 50 percent in al-Ahsa. Eastern Province Shia judges dealing with intra-Shia personal status and family laws operated specialized courts.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption. Some officials engaged in corrupt practices, and perceptions of corruption persisted in some
sectors. Government employees who accepted bribes faced 10 years in prison or substantial fines.

The Supreme Anticorruption Committee, the National Anticorruption Commission (Nazaha), the PPO, and the Control and Investigation Board are units of the government with authority to investigate reports of criminal activity, corruption, and “disciplinary cases” involving government employees. These bodies are responsible for investigating potential cases and referring them to the administrative courts. Nazaha’s ministerial-level director reported directly to the king.

Legal authorities for investigation and public prosecution of criminal offenses are consolidated within the PPO; the Control and Investigation Board is responsible for investigation and prosecution of noncriminal cases. Financial audit and control functions are vested in the General Auditing Board. The HRC also responded to and researched complaints of corruption.

In December 2019 King Salman issued three royal decrees consolidating anticorruption responsibilities under a single entity, the new Control and Anticorruption Commission. The decrees consolidate the Control and Investigation Board, Mabahith’s Administrative Investigations Directorate (within the General Investigation Directorate) and Nazaha into the new commission, led by Mazen bin Ibrahim al-Khamous. The consolidated agency is intended to have criminal investigation and prosecutorial authorities that its predecessors lacked. As with Nazaha, the new Control and Anticorruption Commission reports directly to the king. Local press reported in November that the new Control and Anticorruption Commission had launched more than 150 criminal investigations. On July 27, a royal decree approved a Council of Ministers decision that brought the General Auditing Bureau, the country’s oldest audit institution, under the authority of the king.

Provincial governors and other members of the royal family paid compensation to victims of corruption during weekly majlis meetings where citizens raised complaints.

**Corruption:** Nazaha continued operations and referred cases of possible public corruption to the PPO. On February 12, Nazaha announced it would refer to court the cases of 386 persons accused of financial and administrative corruption. On March 15, Nazaha announced it had criminally investigated 674 state employees and ordered the detention of 298, including eight military officers and two judges,
for “financial and administrative corruption, consisting of bribery crimes, embezzlement and waste of public money, misuse of employment powers, and administrative misuse” involving a total of 379 million riyals ($101 million). On May 4, Nazaha stated a court sentenced 14 individuals, including several court employees, to 22 years and 10 months in prison and substantial fines for abuse of power and bribery.

On July 6, Nazaha announced it initiated 105 cases in crimes such as bribery and abuse of power. On August 11, Nazaha stated it had initiated 218 corruption cases involving a current Shoura member, a judge, and a number of security officers, among others, for fraud, bribery, and financial and professional corruption. On August 21, a royal decree fired a number of officials on suspicion of corruption. On August 31, King Salman dismissed high-ranking officials, including the commander of the Joint Forces, Prince Fahd Bin Turki Bin Abdulaziz Al Saud, and deputy emir of al-Jouf region, Prince Abdulaziz Bin Fahd Bin Turki Bin Abdulaziz Al Saud, over corruption charges.

In February 2019, Public Prosecutor Saud al-Mu’jab announced the launch of the Financial Reports Office, part of the General Auditing Bureau. Al-Mu’jab noted the office would monitor state spending and help sustain the fight against corruption after the end of the anticorruption campaign in January 2019.

Human rights organizations criticized the government for using anticorruption campaigns as a pretext to target perceived political opponents and for arbitrarily detaining and abusing individuals targeted in the crackdown (see sections 1.c. and 1.d., Pretrial Detention). On March 17, HRW voiced concern over the arrest of 298 government employees on suspicion of corruption, warning of possible “unfair legal proceedings” in the judicial system.

Financial Disclosure: The government had a uniform schedule of financial disclosure requirements for public officials. These disclosures were not made public.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

The law provides that “the State shall protect human rights in accordance with Islamic sharia.” The government restricted the activities of domestic and international human rights organizations. The government did not allow international human rights NGOs to be based in the country and restricted their
access to the country for visits. International human rights and humanitarian NGOs reported the government was at times unresponsive to requests for information and did not establish a clear mechanism for communication with NGOs on both domestic human rights issues and issues relating to the conflict in Yemen. There were no transparent standards governing visits by international NGO representatives.

The government often cooperated with and sometimes accepted the recommendations of the NSHR, the sole government-licensed domestic human rights organization. The NSHR accepted requests for assistance and complaints about government actions affecting human rights.

The government blocked websites of unlicensed local human rights groups and charged their founders with founding and operating unlicensed organizations.

**Government Human Rights Bodies:** The government had mechanisms to investigate and punish abuse. The HRC is part of the government and requires the permission of the Ministry of Foreign Affairs before meeting with diplomats, academics, or researchers with international human rights organizations. The HRC president has ministerial status and reports to the king. The HRC worked directly with the Royal Court and the Council of Ministers, with a committee composed of representatives of the Shoura Council and the Ministries of Labor and Social Development and Interior, and with the Shoura Council committees for the judiciary, Islamic affairs, and human rights.

During the year the HRC and NSHR were more outspoken in areas deemed less politically sensitive, including child abuse, child marriage, and trafficking in persons. While they avoided topics such as protests or cases of political activists that would require directly confronting government authorities, they did inquire into complaints of mistreatment by some high-profile political prisoners, including Loujain al-Hathloul and Raif Badawi. The HRC board’s 18 full-time members included nine women, making up half of the board members for the first time, and at least three Shia members; they received and responded to complaints submitted by their constituencies, including problems related to persons with disabilities, religious freedom, and women’s rights. The Shoura Council’s Human Rights Committee also actively followed cases and included women and Shia among its members; a woman served as chairperson of the committee.

The HRC and NSHR maintained records of complaints and outcomes, but privacy laws protect information about individual cases, and information was not publicly
available. On August 12, the HRC said it monitored 243 human rights-related cases in 2019. On September 8, local media reported the HRC received 4,211 complaints in 2019. The NSHR stated it received 3,739 complaints in 2019. Topics of complaints included labor, abuse, citizenship, social welfare, health, and education.

The Board of Grievances, a high-level administrative judicial body that hears cases against government entities and reports directly to the king, is the primary mechanism to seek redress for claims of abuse. During the year the Board of Grievances held hearings and adjudicated claims of wrongdoing, but there were no reported prosecutions of security force members for human rights violations. Military and security courts investigated an unknown number of abuses of authority and security force killings. Citizens may report abuses by security forces at any police station or to the HRC or NSHR. The HRC, in cooperation with the Ministry of Education, provided materials and training to police, other security forces, the Ministry of Defense, and the CPVPV on protecting human rights.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape is a criminal offense under sharia law with a wide range of penalties, from flogging to execution. The law does not recognize spousal rape as a crime. The government enforced the law based on its interpretation of sharia, and, in some cases, courts punished victims as well as perpetrators for illegal “mixing of genders,” even when there was no conviction for rape. Victims also had to prove that the rape was committed, and a woman’s testimony in court was not always accepted.

Due to these legal and social obstacles, authorities brought few cases to trial. Statistics on incidents of, and prosecutions, convictions, or punishments for rape were not available. Most rape cases were likely unreported because victims faced societal and familial reprisal, including diminished marriage opportunities, criminal sanctions up to imprisonment, or accusations of adultery or sexual relations outside of marriage, which are punishable under sharia.

The law against domestic violence defines domestic abuse broadly and criminalizes domestic abuse with penalties of one month to one year of imprisonment or a fine, unless a court provides a harsher sentence.
Researchers stated it was difficult to gauge the magnitude of domestic abuse, which they believed to be widespread. Recent studies varied widely, finding the rate of domestic abuse to be anywhere between 15 to 60 percent. The National Family Safety Program, a quasi-governmental organization under the Ministry of National Guard, is charged with spreading awareness of and combatting domestic violence, including child abuse, and continued to report abuse cases.

Officials stated the government did not clearly define domestic violence and procedures concerning cases, including thresholds for investigation or prosecution, and thus enforcement varied from one government body to another. Some women’s rights advocates were critical of investigations of domestic violence, claiming investigators were hesitant to enter a home without permission from the male head of household, who may also be the perpetrator of violence. Activists reported the situation had improved in recent years, with greater awareness of resources for domestic violence victims, such as the domestic violence hotline managed by the Ministry of Human Resources and Social Development. They also noted, in the previous two years, increased willingness from authorities to investigate and prosecute domestic violence perpetrators, but they expressed concern that some police departments continued to neglect domestic violence cases.

On May 4, a Riyadh police spokesperson stated security authorities arrested and referred to the PPO a man for allegedly abusing his two sisters, adding that all legal measures were taken against him.

On June 19, Public Prosecutor Saud al-Mu’jab ordered the arrest of a man for physically abusing his wife and locking her up along with their three children in al-Baha Province.

The government made efforts to combat domestic violence. On March 14, the HRC branch in the Northern Borders Province held a workshop on domestic violence that included participants from government ministries as well as from civil society organizations. The Ministry of Human Resources and Social Development administered government-supported family-protection shelters. Women reported that remaining in the shelters was not always voluntary.

Women reported that domestic abuse in the form of incest was common but seldom reported to authorities due to fears over societal repercussions, according to local sources.
Female Genital Mutilation/Cutting (FGM/C): The official government interpretation of sharia prohibits the practice; however, some studies indicated up to 18 percent of women reported having undergone some type of FGM/C.

Sexual Harassment: The extent of sexual harassment was difficult to measure, with little media reporting and no official government data. No statistics were available on the incidence of sexual harassment due to past reluctance to report violations.

The 2018 sexual harassment law, passed by the Council of Ministers, carries a maximum penalty of up to five years in prison and a substantial fine. On August 30, the HRC explained that a legal punishment against sexual harassment is irreversible, even if the victim renounced his or her own rights or did not file a legal complaint.

In May 2019 the PPO issued a statement on its Twitter page explaining the legal definition of harassment, noting that the law provides for penalties of up to two years in prison and substantial fines. Local media reported a number of incidents of harassment during the year. On February 29, the PPO ordered the arrest of a number of individuals who appeared in a video harassing girls outside a mall in Jeddah and filed a criminal lawsuit against the individuals.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: Women continued to face discrimination under law and custom. Regulations issued in 2019 and during the year, however, granted women many of the same rights enjoyed by men pertaining to travel abroad, civil status, and employment.

In August 2019 most restrictions under the guardianship system, which had required women to have permission from close male relatives to conduct certain actions, were eliminated. There were reports, however, that government and nongovernment entities, primarily in rural areas, continued to require women to obtain guardian permission prior to providing services.

Amendments to the Civil Status Regulation, which entered into effect in September 2019, grant women older than 18 the right to perform several actions pertaining to civil status that were previously limited to men. These include registering the birth of a child; registering the death of a spouse or close relative;
registering a marriage or divorce (whether initiated by the husband or wife); and being designated “head of household,” thereby allowing women to serve as the guardian of their minor children. Women can also obtain from the Civil Status Administration a “family registry,” which is official documentation of a family’s vital records that verifies the relationship between parents and children. This reform allows mothers to perform administrative transactions for their children, such as registering them for school or obtaining services at a hospital.

On July 14, a court ruled in favor of Maryam al-Otaibi after her family filed a complaint that she was living and traveling in Riyadh. She was charged with absenteeism, or taghayyub, under a law that allows guardians to report unauthorized absence of anyone under their guardianship, which could lead to the arrest, detention, or forcible return of the individual. The court ruled that living independently did not constitute a criminal act subject to discretionary punishment, adding that al-Otaibi was “a sane adult who has the right to decide where she wants to live,” according to court documents.

Women may legally own property and are entitled to financial support from their guardian. They can make their own determinations concerning hospital care. In 2018 the Ministry of Commerce and Investment announced women no longer need their male guardian’s permission to start a business. Women still require a guardian’s permission to exit prisons after completing their terms.

The law prohibits women from directly transmitting citizenship to their children, particularly if the children’s father is a noncitizen (see section 2.d. and section 6, Children). The country’s interpretation of sharia prohibits Muslim women from marrying non-Muslims, but Muslim men may marry non-Muslim women. Women require government permission to marry noncitizens; men must obtain government permission if they intend to marry citizens from countries other than Gulf Cooperation Council-member states (Saudi Arabia, Bahrain, Kuwait, Oman, Qatar, and the United Arab Emirates). Regulations prohibit men from marrying women from Bangladesh, Burma, Chad, and Pakistan. The government additionally requires Saudi men wishing to marry a second wife who is a foreigner to submit documentation attesting to the fact that his first wife was disabled, had a chronic disease, or was sterile.

Societal pressures restricted women from using some public facilities. Some but not all businesses still required or pressured women to sit in separate, specially designated family sections in public places.
Cultural norms selectively enforced by state institutions require women to wear an abaya (a loose-fitting, full-length cloak) in public. Female foreigners were only required to dress modestly.

In July a Saudi woman was barred from entering a private park in Hail because park employees believed she was not dressed modestly. In a video posted to social media, the woman said she called police who came to the scene and told her the park owner could decide whether to allow her to enter.

Women also faced discrimination in courts, where in some cases the testimony of a woman equals half that of a man. All judges are male, and women faced restrictions on their practice of law (see section 1.e., Denial of Fair Public Trial). In divorce proceedings women must demonstrate legally specified grounds for divorce, but men may divorce without giving cause, citing “irreconcilable differences.” In doing so, men must pay immediately an amount of money agreed at the time of the marriage that serves as a one-time alimony payment. Men may be forced, however, to make subsequent alimony payments by court order. The Ministry of Justice reported it compelled 7,883 fathers to pay alimony in 2018. The government began implementing an identification system based on fingerprints, designed to provide women more access to courts, even if they chose to cover their faces with the niqab covering.

In February, Justice Minister Sheikh Walid al-Samaani issued a decision binding both spouses to appear in court to complete their divorce, ending the so-called secret divorce, whereby men could divorce their wives without the woman’s consent or knowledge. In February the Ministry of Justice also canceled an article in the marriage law that gave a husband the right to force his wife to return to her home against her will.

Women faced discrimination under family law. For example, a woman needs a guardian’s permission to marry or must seek a court order in the case of adhl (male guardians refusing to approve the marriage of women under their charge). In such adhl cases, the judge assumes the role of the guardian and may approve the marriage. During the year courts executed marriage contracts for women whose male guardians refused to approve their marriage, according to informed judicial sources quoted by local media. On February 7, local media reported that courts considered an average of 750 cases annually.

In February local media reported that a male guardian can be imprisoned for up to one year and fined for forcing a woman under his charge to marry against her will.
In January media reported that the Personal Status Court in Dammam issued an unprecedented ruling granting a woman in her fifties the right to marry without her guardian’s approval after her son, who was her male guardian, refused to approve her marriage. On May 30, however, the Judicial Committee at the Shoura Council rejected a proposal to allow women to contract their marriage without requiring the permission of a male guardian.

Courts routinely award custody of children when they attain a specified age (seven years for boys and nine years for girls) to the divorced husband or the deceased husband’s family. In numerous cases, former husbands prevented divorced noncitizen women from visiting their children. In 2018 Justice Minister Sheikh Walid al-Samaani directed all courts to drop the requirement for divorced women to file a lawsuit to gain custody of their children. Provided there were no disputes between the parents, mothers may simply submit a request to the relevant court, without the need for legal action.

On February 16, the Ministry of Justice added an article to the regulations of legal proceedings ordering that resolution of custody, alimony and visitation issues in divorce cases be resolved prior to the finalization of a divorce and within 30 days of the initial hearing.

Sharia-based inheritance laws discriminate against women, giving daughters half the inheritance awarded to their brothers.

According to recent surveys, women constituted 52 percent of public education and higher education students. Segregated education through university level was standard. The only exceptions to segregation in higher education were medical schools at the undergraduate level and the King Abdullah University of Science and Technology, a graduate-level research university, where women worked jointly with men, were not required to wear an abaya, and have long driven cars on campus. Other universities, such as al-Faisal University in Riyadh, offered partially segregated classes with students receiving instruction from the same teacher and able to participate together in class discussion, but with the women and men physically separated by dividers.

Children

Birth Registration: Citizenship derives from the father, and both the father and mother may register a birth. There were cases of authorities denying public services to children of citizen parents, including education and health care, because
the government failed to register the birth entirely or had not registered it immediately, sometimes because the father failed to report the birth or did not receive authorization to marry a foreigner. Children of women who were married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother (see section 2.d., Stateless Persons).

**Child Abuse:** Abuse of children occurred. The National Family Safety Program operated a child helpline dedicated to assisting children in matters ranging from bullying to abuse, providing counseling, tracking, and referrals to social services. The Ministry of Human Resources and Social Development had 17 social protection units across the country providing social protection to children younger than 18 as well as other vulnerable populations suffering domestic violence and abuse.

In April the spokesperson of Asir Province police said a man was arrested for abusing his 15-year-old daughter, which reportedly led her to take her own life.

In September the ministry’s Domestic Violence Center announced that authorities opened an investigation based on a video, which went viral on social media, showing a father beating his two-year-old son. The Family Protection Unit managed to locate the toddler, and the father was referred to authorities to take legal action against him in line with the child protection law.

**Child, Early, and Forced Marriage:** In March the Ministry of Justice set the minimum age for marriage at 18 and stipulated that girls and boys younger than 18 can only marry with court approval. According to local media, the court would ensure several conditions are met before approving a marriage contract for a bride or groom younger than 18, including assessing their psychosocial development and hearing statements from the potential bride, groom, and guardians to determine consent. Previously, marriage officials had the authority to endorse marriage contracts; this reform ended their authority in cases where the potential bride and groom are younger than 18. The HRC and NSHR monitored cases of child marriages, which they reported were rare or at least rarely reported, and took steps to prevent consummation of the marriage. The application for a marriage license must record the bride’s age, and registration of the marriage is a legal prerequisite for consummation.

**Sexual Exploitation of Children:** The cybercrimes law stipulates that punishment for such crimes, including the preparation, publication, and promotion of material
for pornographic sites, may be no less than two-and-one-half years’ imprisonment or a substantial fine if the crime includes the exploitation of minors. The law does not define a minimum age for consensual sex. On January 14, the Riyadh Criminal Court sentenced a man to 40 days in prison and 70 lashes, to be administered in two rounds, for sexually harassing a 12-year-old boy online.


**Anti-Semitism**

There were no known data on Jewish citizens and no statistics available concerning the religious denominations of foreigners.

Cases of government-employed imams using anti-Jewish language in their sermons were rare and occurred without authorization by government authorities. The law requires government-employed imams to deliver all sermons in mosques in the country. Sermons are vetted and cleared by the Ministry of Islamic Affairs. During the year the ministry issued periodic circulars to clerics and imams in mosques directing them to include messages on the principles of justice, equality, and tolerance and to encourage rejection of bigotry and all forms of racial discrimination in their sermons.

Some NGOs reported that anti-Semitic material remained in school textbooks and online in private web postings and that some journalists, academics, and clerics made anti-Israel comments that sometimes strayed into anti-Semitism, including at the Grand Mosque in Mecca. Speaking on the sidelines of the November G20 Summit, Education Minister Hamad Al al-Sheikh claimed the ministry revised school curricula to remove extremist ideas and promote the concept of moderation and tolerance.

Saudi Council of Senior Scholars member and Muslim World League secretary general Mohammed al-Issa condemned anti-Semitism and intolerant speech. On January 23, al-Issa led a delegation of Muslim leaders to visit the Auschwitz death camp to mark the 75th anniversary of its liberation. The visit was part of a joint enterprise between the Muslim World League and the American Jewish Committee. On February 20, King Salman received a delegation from the King
Abdullah bin Abdulaziz International Center for Interreligious and Intercultural Dialogue that included Israeli rabbi David Rosen, becoming the first Israeli rabbi to meet with a Saudi king in recent history.

On September 5, shortly after the United Arab Emirates and Bahrain agreed to normalize ties with Israel, the imam of the Grand Mosque in Mecca, Abdulrahman al-Sudais, said in a televised sermon that Muslims should avoid “passionate emotions and fiery enthusiasm” towards Jews and emphasized that the Prophet Muhammad was good to his Jewish neighbors.

In April, *Umm Haroun*, a Ramadan television series that aired on the state-controlled MBC network, centered around the story of a Jewish midwife in an unspecified multireligious Gulf state. Experts said the series was a sign of shifting discourse on Jews and Israel.

**Trafficking in Persons**

See the Department of State’s *Trafficking in Persons Report* at [https://www.state.gov/trafficking-in-persons-report/](https://www.state.gov/trafficking-in-persons-report/).

**Persons with Disabilities**

The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, the judicial system, or the provision of other state services or other areas. The law does not require public accessibility to buildings, information, and communications. Newer commercial buildings often included such access, as did some newer government buildings. On July 19, the Ministry of Municipal and Rural Affairs ordered all stores and shopping malls to install ramps for persons with disabilities.

The Ministry of Human Resources and Social Development is responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities into the mainstream. Children with disabilities could attend government-supported schools. In June 2019 the Ministry of Education stated it had taken measures to integrate disabled students, including special education programs in regular schools, training faculty members who work with students with disabilities, and providing technological instruments for students with disabilities free of charge.
Persons with disabilities could generally participate in civic affairs, and there were no legal restrictions preventing persons with disabilities from voting in municipal council elections. Persons with disabilities were elected and appointed to municipal councils in 2015, and two individuals with disabilities served on the consultative Shoura Council, which was reconstituted in 2016.

Members of National/Racial/Ethnic Minority Groups

Although racial discrimination is illegal, societal discrimination against members of national, racial, and ethnic minorities was a problem. Descendants of former slaves in the country, who have African lineage, faced discrimination in both employment and society. There was formal and informal discrimination, especially racial discrimination, against foreign workers from Africa and Asia. There was also discrimination based on tribal or nontribal lineage. A tolerance campaign by the King Abdulaziz Center for National Dialogue sought to address discrimination, and it provided training during the year to combat discrimination against national, racial, or ethnic groups.

On September 3, a video widely circulated on social media showed black Saudi model Ziad al-Mesfer being assaulted by a group of young men on a street in Riyadh, with some hurling racial slurs during the attack. The video sparked an online debate, with many defending al-Mesfer’s right to dress as he chooses and calling on authorities to hold the attackers accountable. Others said his choice of dress and modeling activities went against customs and traditions.

The government continued its multiyear Tatweer project to revise textbooks, curricula, and teaching methods to promote tolerance and remove content disparaging religions other than Islam.

Local sources claimed that Saudi citizens received preferential access to COVID-19 testing and treatment, with some foreign residents reportedly being refused admittance to hospitals during periods of high rates of infection.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

Under sharia, as interpreted in the country, consensual same-sex sexual conduct is punishable by death or flogging, depending on the perceived seriousness of the case. It is illegal for men “to behave like women” or to wear women’s clothes, and vice versa. Due to social conventions and potential persecution, lesbian, gay,
bisexual, transgender, and intersex (LGBTI) organizations did not operate openly, nor were there LGBTI rights advocacy events of any kind. There were reports of official and societal discrimination, physical violence, and harassment based on sexual orientation or gender identity in employment, housing, access to education, and health care. Stigma or intimidation limited reports of incidents of abuse. Saudi clerics condemned homosexuality during government-approved Friday sermons at some mosques, most notably at the Grand Mosque in Mecca on August 14.

There were no government efforts to address discrimination. In 2016 newspapers quoted PPO officials as stating the bureau would seek death sentences for anyone using social media to solicit homosexual acts. There were no reports, however, that the PPO sought death sentences in LGBTI cases during the year (see section 1.a.).

During the year local newspapers featured opinion pieces condemning homosexuality and calling on authorities to punish harshly individuals engaging in same-sex relations.

A conversation about homosexuality in a comedy series broadcast on MBC during the Muslim holy month of Ramadan sparked controversy. In a scene from the series, *Exit 7*, a man and his teenage daughter discussed the topic of homosexuality, with the daughter defending the rights of the LGBTI community.

On April 8, authorities arrested Mohamad al-Bokari, a Yemeni blogger living in Riyadh, for posting a video on social media calling for equal rights, including for gay men. On July 20, a court sentenced him to 10 months in prison and a fine, followed by deportation to Yemen, according to HRW. HRW reported that al-Bokari was charged with violating public morality by promoting homosexuality online and “imitating women.” A source in contact with al-Bokari told HRW that before his trial he was held in solitary confinement for six weeks in al-Malaz Prison in Riyadh, where he was subjected to torture, including beatings and a forced anal exam, an internationally discredited practice used to seek “proof” of homosexual conduct.

**HIV and AIDS Social Stigma**

There were no reports of societal violence or discrimination against persons with HIV/AIDS. By law the government deported foreign workers who tested positive for HIV/AIDS upon arrival or who tested positive when hospitalized for other
reasons. There was no indication that HIV-positive foreigners failed to receive antiretroviral treatment or that authorities isolated them during the year. The Ministry of Health’s HIV/AIDS program worked to counter stigma and discrimination against persons with HIV/AIDS.

Other Societal Violence or Discrimination

Social, legal, economic, and political discrimination against the country’s Shia minority continued. HRW claimed that some state clerics and institutions “incited hatred and discrimination against religious minorities, including the country’s Shia Muslim minority.”

To address the problem, the Ministries of Defense and Interior and the National Guard included antidiscrimination training in courses offered by the King Abdulaziz Center for National Dialogue for police and other law enforcement officers.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law does not provide for the right of workers to form and join independent unions. The law does not provide for the right to collective bargaining or the right to conduct legal strikes. The law does not prohibit antiunion discrimination or require reinstatement of workers fired for union activity. There was little information on government efforts to enforce applicable laws and whether penalties were commensurate with those under other laws involving denials of civil rights, such as discrimination.

The government did not respect freedom of association and the right to collective bargaining. There were no labor unions in the country, and workers faced potential dismissal, imprisonment, or, in the case of migrant workers, deportation for union activities.

The government allowed citizen-only labor committees in workplaces with more than 100 employees, but it placed undue limitations on freedom of association and was heavily involved in the formation and activities of these committees. For example, the ministry approves the committee members and authorizes ministry and employer representatives to attend committee meetings. Committee members must submit the minutes of meetings to management and then transmit them to the
minister; the ministry can dissolve committees if they violate regulations or are deemed to threaten public security. Regulations limit committees to making recommendations to company management that are limited to improvements to working conditions, health and safety, productivity, and training programs.

The Saudi National Committee of Workers Committees, an umbrella organization that supports dozens of workers committees and advocates for workers’ rights, chaired the Labor20 engagement group, as the country hosted the year’s G20 meeting.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, but the government did not effectively enforce the law, and penalties were not commensurate with those for other analogous serious crimes, such as kidnapping, which can receive up to the death penalty. The fine for trafficking in persons is 15 years in prison and fines up to one million riyals (approximately $267,000). Forced labor occurred, especially among migrant workers—notably domestic servants. Conditions indicative of forced labor experienced by foreign workers reportedly included withholding of passports; nonpayment of wages; restrictions on movement; and verbal, physical, and sexual abuse. Labor law prohibits the confiscation of passports and nonpayment of wages. Violations of labor laws could result in penalties, but these did not sufficiently deter violations. Many migrant workers, particularly domestic employees not covered under the labor law, were unable to exercise their right to end their contractual work. An employer may require a trainee to work for him or her upon completion of training for a period not to exceed twice the duration of the training or one year, whichever is longer.

Restrictive sponsorship laws increased workers’ vulnerability to forced labor conditions and made many foreign workers reluctant to report abuse. The contract system does not allow workers to change employers or leave the country without the written consent of the employer under normal circumstances. Employers or sponsors were responsible for processing residence permits and exit visas on their behalf.

If wages are withheld for 90 days, a ministerial decree permits an employee to transfer his or her sponsorship to a new employer without obtaining prior approval from the previous employer. There were reports, however, that the Ministry of Human Resources and Social Development did not always approve petitions to
transfer sponsorship due to withheld wages, including some cases in which wages had been withheld for more than three months.

Due to the economic disruptions caused by the COVID-19 pandemic, thousands of expatriate workers lost their jobs. Many who could not or chose not to repatriate were left without legal status, putting them at greater risk of exploitation and trafficking. The government encouraged companies to place employees on reduced hours, vacation leave, or unpaid leave, rather than terminating contracts. In April, Article 41 was inserted in the Implementation Regulation of the Labor Law, which enabled the employer and employee, between April and October 2020, to agree to any of the following: a reduction in salary provided that there is a corresponding reduction in working hours; placing the employee on paid annual leave (as part of their holiday entitlement); or implementing a period of unpaid leave. Officials confirmed that Article 74 of the labor law still applied during the pandemic, which only recognized termination when either the business or the business unit within which the employee worked was closing permanently.

The Ministry of Human Resources and Social Development, Ministry of Interior, and Ministry of Foreign Affairs developed an electronic platform and integrated system in 2014 to facilitate recruitment of domestic workers and regularize contractual relationships. The platform was also designed to lower recruitment costs and address worker shortages due to source country deployment bans. The system failed to prevent completely exploitative practices by middlemen, brokers, and other stakeholders that both workers and employers encounter before they reach registered agencies. Some domestic workers lacked access to the platform, and source country agencies lacked influence on the platform’s procedures.

A few countries that previously allowed their citizens to migrate to the country for work prohibited their citizens from seeking work in Saudi Arabia after widespread reports of worker abuse.

The government continued implementation of the Wage Protection System (WPS), which requires employers to pay foreign workers through bank transfers, thereby allowing the ministry to track whether workers were paid appropriately. On August 1, the Ministry of Human Resources and Social Development started implementing stage 16 of the WPS, requiring all employers with more than five employees to comply with WPS regulations. The ministry fined companies for delaying payment for employees’ salaries on the first occurrence and blocked companies from accessing government services if a company delayed salaries for two or more months. In November the ministry announced that 200,000
establishments were already using the WPS application and stated that by the end of the year, all private-sector companies with one or more employees would be required to utilize the WPS.

In November the government announced the Labor Reform Initiative, scheduled to come into effect on March 14, 2021, which will allow workers to change employers upon the conclusion of an employment contract without the original employer’s approval. The reform will also enable workers to obtain exit-reentry visas and depart the country upon the contract’s conclusion without employer approval. The changes will benefit roughly seven million private-sector expatriate workers but will not initially apply to domestic workers.

Undocumented workers were not protected by labor laws and were particularly susceptible to forced labor, substandard wages, and deportation by authorities.

Also see the Department of State’s Trafficking in Persons Report at https://www.state.gov/trafficking-in-persons-report/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor. The law provides that no person younger than 15 may legally work unless that person is the sole source of support for the family. Children between the ages of 13 and 15 may work if the job is not harmful to health or growth and does not interfere with schooling. Ministerial Decree No. 1/2834, Article 1, provides that hazardous operations, such as power-operated machinery, or harmful industries, such as mines and quarries, may not employ legal minors. Children younger than 18 may not be employed for shifts exceeding six hours a day. There is no minimum age for workers employed in family-owned businesses or other areas considered extensions of the household, such as farming, herding, and domestic service.

The HRC and NSHR are responsible for monitoring enforcement of child labor laws. There was little information on government efforts to enforce applicable laws and whether penalties were commensurate with those for other analogous serious crimes, such as kidnapping. Authorities most commonly enforced the law in response to complaints about children begging on the streets.

Most child labor involved children from other countries, including Yemen and Ethiopia, forced into begging rings, street vending, and working in family businesses.
Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at [https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings](https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings).

d. Discrimination with Respect to Employment and Occupation

No regulations prohibit discrimination on the basis of religion, political opinion, national origin or citizenship, sexual orientation or gender identity, language, or HIV-positive status. Gender-based violence and harassment occurred in the world of work (see section 6). Discrimination with respect to employment and occupation occurred in all these categories. There are no effective complaint resolution mechanisms present to deter these discriminatory regulations and practices.

A 2019 amendment to the labor law enacted a general prohibition on discrimination during employment as well as in the terms of recruitment. The amendment mandated that employers treat all workers equally and barred discrimination on the basis of gender, disability, age, or any other forms of discrimination, whether in work, employment, or advertising a vacancy. Women may work without their guardian’s permission, but some employers required women to have such permission, even though the law prohibits the practice. The decree expands previous regulations barring employers from firing female workers on maternity leave and includes protection from dismissal for pregnancy-related illness if the absence is less than 180 days per year. Employers who violate the antidiscrimination law can be fined. The antidiscrimination law only applies to citizens and does not protect the rights of expatriates. There is widespread societal discrimination against African and Asian expatriate workers. The government did not effectively enforce the law, and penalties were not commensurate with those under laws related to civil rights, such as election interference.

In recent years the government decreased the number of restrictions on women’s employment in various sectors (see section 6, Women). On August 26, the Council of Ministers approved two amendments in the labor law removing Articles 149 and 150, which had prohibited employment of women in some hazardous jobs and night shifts. The Ministry of Human Resources and Social Development explicitly approved and encouraged the employment of women in specific sectors, particularly in government and retail, but women continued to face societal discrimination, and in practice gender segregation continued in the workplace. In medical settings and the energy industry, women and men worked together, and in some instances women supervised male employees. Bureaucratic procedures
largely restricted women working in the security services to employment in
women’s prisons, at women’s universities, and in clerical positions in police
stations. There were no women working as judges or as members of the Council
of Senior Religious Scholars.

The first-quarter Labor Market Report by the General Authority for Statistics
found that Saudi girls and women (15 years of age and older) constituted 8.3
percent of the country’s total labor force (Saudi and non-Saudi, 15 years of age and
older). The same report estimated that women and girls, both Saudi and foreign,
represented 25.4 percent of all employed persons (15 years of age and older) in the
country. Most non-Saudi women were employed as domestic workers.

No regulation requires equal pay for equal work. In the private sector, the average
monthly wage of Saudi women workers was 58 percent of the average monthly
wage of Saudi men. Labor dispute settlement bodies did not register any cases of
discrimination against women.

The law grants women the right to obtain business licenses without the approval of
their guardians, and women frequently obtained licenses in fields that might
require them to supervise foreign workers, interact with male clients, or deal with
government officials. Although it is illegal for a potential employer to ask a
female applicant for her guardian’s permission when she applies for a job, some
employers required them to prove such permission. Women who work in
establishments with 50 or more female employees have the right to maternity leave
and childcare.

The country had an increasing number of female diplomats; in March local media
reported the number reached 151 in 2019. On August 2, the minister of education
appointed the country’s first three women overseas cultural attaches. On August
25, the Ministry of Foreign Affairs appointed Ahlam bint Abdulrahman Yankasar
as the director-general of the general department of cultural affairs, the first woman
to serve as a director general in the ministry. In February 2019 a royal decree
appointed the first female Saudi ambassador.

Bureaucratic procedures largely restricted women working in the security services
to employment in women’s prisons, at women’s universities, and in clerical
positions in police stations, where they were responsible for visually identifying
other women, for example wearing niqabs, for law enforcement purposes. On
January 19, the military chief of general staff inaugurated the first women’s wing
in the Armed Forces. In October 2019 officials announced that women would be
able to join the armed forces in a wide range of positions, including corporals and sergeants. In June, Director of Government Affairs Moaid Mahjoub tweeted a photograph of one of the first female members of a Saudi Royal Guard regiment.

Discrimination with respect to religious beliefs occurred in the workplace. Members of the Shia community complained of discrimination based on their religion and had difficulty securing or being promoted in government positions. They were significantly underrepresented in national security-related positions, including the Ministries of Defense and Interior and the National Guard. In predominantly Shia areas, Shia representation was higher in the ranks of traffic police and employees of municipalities and public schools. A very small number of Shia occupied high-level positions in government-owned companies and government agencies. Shia were also underrepresented in employment in primary, secondary, and higher education.

e. Acceptable Conditions of Work

The monthly minimum wage for public-sector employees was above the estimated poverty-income level. In November the minister of human resources announced the minimum wage for Saudis in the private sector would be set at 4,000 riyals (approximately $1,066) per month. There was no private-sector minimum wage for foreign workers.

By law a standard workday is eight hours. A standard workweek is 48 hours but can extend to 60 hours, subject to payment of overtime, which is 50 percent more than the basic wage. Labor law requires employers to provide paid holidays on Eid al-Fitr, Eid al-Adha, and Saudi National Day but does not apply to domestic workers--those sponsored by individuals rather than companies.

An estimated 10.4 million foreign workers, including approximately 1.3 million women, made up approximately 76.5 percent of the labor force, according to the General Authority for Statistics’ labor market survey for the first quarter. Legal workers generally negotiated and agreed to work conditions prior to their arrival in the country, in accordance with the contract requirements contained in the labor law.

The law provides penalties for bringing foreigners into the country to work in any service, including domestic service, without following the required procedures and obtaining a permit. The penalties were not commensurate with those for similar crimes, such as fraud.
Occupational safety and health (OSH) standards are appropriate for main industries. The labor law provides for regular safety inspections and enables ministry-appointed inspectors to make unannounced inspections, initiate sanctions, examine materials used or handled in industrial and other operations, and submit samples of suspected hazardous materials or substances to government laboratories. The government effectively enforced the law. The Ministry of Health’s Occupational Health Service Directorate worked with the Ministry of Human Resources and Social Development on health and safety matters. In accordance with Articles 121 and 122 of the labor law, employers are obligated to safeguard safety and health requirements in the workplace to protect employees from harm and disease. Regulations require employers to protect some workers from job-related hazards and disease, although some violations occurred. Penalties for violations of OSH laws were not commensurate with those for crimes of negligence. Under Article 121, punishment for labor violations can range up to 100,000 riyals (approximately $26,700) and possibly temporary or permanent closure of a business (commensurate with the punishment for vandalizing cultural or historical sites). These regulations did not cover farmers, herdsman, domestic servants, or workers in family-operated businesses. Although the ministry employed nearly 1,000 labor inspectors, foreign workers privately reported frequent failures to enforce health and safety standards. Although statistics were unavailable, examples of major industrial accidents during the year that caused the death or serious injury to workers include local media reports from June 11 that six workers died in a water pipeline construction accident in al-Aziziah district in Riyadh and from December 16 that one worker died and three others were injured due to gas leakage in an air-conditioner shop in Riyadh.

On April 25, local media reported that the Ministry of Municipal and Rural Affairs began preparing residences belonging to the Saudi Authority for Industrial Cities and Technology Zones to be used as temporary housing for up to 29,000 workers. According to the ministry, the residences were established in response to the rapid rise in number of confirmed COVID-19 cases among expatriate workers in densely populated labor camps and neighborhoods.

The law requires that a citizen or business must sponsor foreign workers in order for them to obtain legal work and residency status, although the requirement exempts Syrian and Yemeni citizens who overstayed their visas. The Ministry of Human Resources and Social Development implemented measures allowing noncitizen workers to switch their employer to a new employer or company that employed a sufficient quota of Saudi citizens. Some workers were unaware of the
new regulations and were forced to remain with their sponsor until completion of their contract or seek the assistance of their embassy to return home. There were also instances in which sponsors bringing foreign workers into the country failed to provide them with a residency permit, which undermined the workers’ ability to access government services or navigate the court system in the event of grievances. Sponsors with commercial or labor disputes with foreign employees also could ask authorities to prohibit employees from departing the country until the dispute was resolved. Authorities, however, would not jail or forcibly return fleeing workers who sought to exit the country within a 72-hour period or coordinate with their embassy for repatriation as long as the employees did not have criminal charges or outstanding fines pending against them.

Bilateral labor agreements set conditions on foreign workers’ minimum wage, housing, benefits including leave and medical care, and other topics. Those provisions were not drafted in line with international standards and varied depending on the bargaining power of the foreign workers’ country. The labor law and the law against trafficking in persons do not provide penalties commensurate with those for other analogous serious crimes, such as kidnapping.

In July the HRC, in coordination with other government bodies, conducted a large-scale awareness campaign, Together to Combat Trafficking in Persons, which included educational messages coordinated across social media platforms, print media, and television.

There were reports that some migrant workers were employed on terms to which they had not agreed and experienced problems, such as delays in the payment of wages, changes in employer, or changed working hours and conditions. Migrant workers, especially domestic workers, were vulnerable to abuse, exploitation, and conditions contravening labor laws, including nonpayment of wages, working for periods in excess of the 48-hour workweek, working for periods longer than the prescribed eight-hour workday without due compensation, and restrictions on movement due to passport confiscation. There were also reports of physical, psychological, sexual, and verbal abuse.

There were reports that some migrant workers, particularly domestic employees, were unable to exercise their right to remove themselves from dangerous situations. Some employers physically prevented workers from leaving or threatened them with nonpayment of wages if they left. Sponsoring employers, who controlled foreign workers’ ability to remain employed in the country, usually held foreign workers’ passports, a practice prohibited by law. In some contract
disputes, sponsors asked authorities to prevent the employee from leaving the country until resolution of the dispute to coerce the employee into accepting a disadvantageous settlement or risking deportation without any settlement.

While some foreign workers were able to contact the labor offices of their embassies for assistance, domestic workers in particular faced challenges when attempting to gain access to their embassies, including restrictions on their freedom of movement and telephone access, confiscation of their passports, and being subjected to threats and verbal and physical abuse. During the year hundreds of primarily female domestic workers sought shelter at their embassies’ safehouses to escape physical and sexual abuse by their employers. Those workers usually sought legal assistance from their embassies and government agencies to obtain end-of-service benefits and exit visas. In addition to their embassies, some domestic servants could contact the NSHR, the HRC, the governmental Interministerial General Secretariat to Combat Human Trafficking, and the Migrant Workers’ Welfare Department, which provided services to safeguard migrant workers’ rights and protect them from abuse. Some were able to apply to the offices of regional governors and lodge an appeal with the Board of Grievances against decisions by those authorities.

In June media outlets reported that Nigeria’s National Agency for the Prohibition of Trafficking in Persons had received distress calls and evidence that Nigerian women in Saudi Arabia were subjected to cruel working conditions, unpaid salaries and other entitlements, 18-hour workdays, and hazardous duties.
Tab 2
Foreign travel advice

Saudi Arabia

Important COVID-19 Travel

Under current UK COVID-19 restrictions, you must stay at home. You must not travel, including abroad, unless you have a legally permitted reason to do so. It is illegal to travel abroad for holidays and other leisure purposes.


If you intend to travel to the UK from abroad (https://www.gov.uk/guidance/coronavirus-covid-19-testing-for-people-travelling-to-england), including UK nationals returning home, you must provide evidence of a negative COVID-19 test result taken up to 3 days before departure. If you do not comply (and you do not have a valid exemption) your airline or carrier may refuse you boarding and/or you may be fined on arrival.

Before you return to the UK you must provide your journey and contact details (https://www.gov.uk/provide-journey-contact-details-before-travel-uk). You must self-isolate (https://www.gov.uk/uk-border-control) when you enter the UK from any foreign country except Ireland, unless you have a valid exemption.

If you are legally permitted to travel abroad, check our advice (https://www.gov.uk/guidance/travel-advice-novel-coronavirus) on your country of destination (https://www.gov.uk/foreign-travel-advice). Some other countries have closed borders, and may further restrict movement or bring in new rules including testing requirements with little warning.

Contents

- Summary (https://www.gov.uk/foreign-travel-advice/saudi-arabia)
- Terrorism (https://www.gov.uk/foreign-travel-advice/saudi-arabia/terrorism)
- Pilgrimage (https://www.gov.uk/foreign-travel-advice/saudi-arabia/pilgrimage)
- Entry requirements (https://www.gov.uk/foreign-travel-advice/saudi-arabia/entry-requirements)
- Local laws and customs
- Health (https://www.gov.uk/foreign-travel-advice/saudi-arabia/health)
Local laws and customs

Saudi Arabia is a Muslim country in which Islamic law is strictly enforced. You should respect local traditions, customs, laws and religions at all times and be aware of your actions to ensure that they do not offend, especially during the holy month of Ramadan or if you intend to visit religious areas.

In 2021, the holy month of Ramadan is expected to start on 12 April and finish on 12 May. During Ramadan, Muslims fast from dusk to dawn. Saudi authorities advise that it is respectful to avoid eating or drinking in public during the day at this time. See Travelling during Ramadan (https://www.gov.uk/travelling-during-ramadan).

The public practice of any form of religion other than Islam is illegal; as is an intention to convert others. However, the Saudi authorities accept the private practice of religions other than Islam, and you can bring a religious text into the country as long as it is for your personal use. Importing larger quantities than this can carry severe penalties.

With the launch of the tourist e-visa on 28 September 2019, Saudi Arabia announced new regulations related to public conduct and decency. Men and women are required to refrain from public displays of affection, and avoid using profane language or gestures. Taking pictures or recording videos without permission is not permitted. Visitors to Saudi Arabia should familiarise themselves with public decency laws.

Local laws require men and women to dress modestly covering shoulders and knees in public, avoiding tight-fitting clothing or clothes with profane language or images. It is not mandatory for female travellers to wear the traditional robe or abaaya. Information on important laws and etiquette around dress codes is available to visitors on the Visit Saudi website (https://www.visitsaudi.com/en/).

As of June 2018 women are legally able to obtain a licence to drive a car, motorbikes and scooters. You should seek guidance from the local authorities on how to apply for a local licence.

Homosexual or extra-marital sexual relations, including adultery, are illegal and can be subject to severe penalties. It’s also illegal to be transgender. Transgender people travelling to Saudi Arabia are likely to face significant difficulties and risks if
Penalties for the possession of, or trade in alcohol are severe. Both result in prison sentences. Do not arrive in Saudi Arabia under the influence of alcohol.

If you bring medication with you, carry a doctor’s prescription.

Importing pork products is forbidden.

The possession of pornographic material, or of illustrations of scantily dressed people, especially women, is prohibited.

Electronic devices may be screened by customs officials on arrival and departure.

The punishment for smuggling drugs includes the death penalty.

Photographing government buildings, military installations, and palaces is not allowed. You should avoid photographing local people. Binoculars should not be brought into Saudi Arabia and may be confiscated at the port of entry.

It’s illegal to hold 2 passports in Saudi Arabia. Second passports will be confiscated by the immigration authorities if they’re discovered.

You should carry a photocopy of your passport for identification. Make sure you have included emergency contact details.

The Saudi legal system differs in many ways from the UK. Suspects can be held without charge and are not always allowed quick access to legal representation. The Saudi authorities have detained witnesses and victims of crimes. If you need consular assistance, British Embassy staff will try to visit you as soon as they are aware of the case, but in some instances Embassy staff have not been permitted to do so immediately or have had access limited.

Anyone involved in a commercial dispute with a Saudi company or individual may be prevented from leaving the country pending resolution of the dispute. Government bodies often retain passports for official purposes; sponsors also sometimes retain passports, although this is illegal.
Tab 3
EXECUTIVE SUMMARY

According to the 1992 Basic Law of Governance, the country’s official religion is Islam and the constitution is the Quran and Sunna (traditions and practices based on the life of the Prophet Muhammad). The legal system is based largely on sharia as interpreted by the Hanbali school of Sunni Islamic jurisprudence. Freedom of religion is not provided under the law. The government does not allow the public practice of any non-Muslim religion. The law criminalizes “anyone who challenges, either directly or indirectly, the religion or justice of the King or Crown Prince.” The law criminalizes “the promotion of atheistic ideologies in any form,” “any attempt to cast doubt on the fundamentals of Islam,” publications that “contradict the provisions of Islamic law,” and other acts including non-Islamic public worship, public display of non-Islamic religious symbols, conversion by a Muslim to another religion, and proselytizing by a non-Muslim. In January and May, police raided predominantly Shia villages in al-Qatif Governorate, stating the raids were carried out to arrest terrorist cells or preempt terrorist attacks. On November 13, rights groups announced that Hussein al-Ribh, a 38-year-old Shia activist who was in detention since 2017, died in Dammam Prison. Some Shia activists outside the country stated that authorities tortured al-Ribh while he was detained. In April the government executed 37 citizens for “terrorism crimes,” the largest mass execution since 2016. According to Human Rights Watch (HRW), at least 33 of the 37 were from the country’s minority Shia community and had been convicted following what they stated were unfair trials for various alleged crimes, including protest-related offenses. In January rights groups reported Islamic scholar Sheikh Ahmed al-Amari died as a result of poor prison conditions and mistreatment, and in August, Sheikh Saleh Abdulaziz al-Dhamiri died due to a heart condition while held in solitary confinement in Tarafia Prison. Authorities detained Thumar al-Marzouqi, Mohammed al-Sadiq, and Bader al-Ibrahim, three Shia Muslims who have written in the past on the discrimination faced by Shia Muslims, in April with no official charges filed; they remained in detention at year’s end. On February 1, human rights nongovernmental organizations (NGOs) reported that the public prosecutor was no longer seeking the death penalty for female Shia activist Israa al-Ghomgham, detained since 2015 after participating in antigovernment protests in the Eastern Province. During the year, government leaders, including the crown prince and the head of the government-sponsored Muslim World League (MWL), took new steps to combat religious extremism and
to encourage interreligious tolerance and dialogue, conducting prominent public outreach, particularly with Christian and Jewish leaders and groups.

According to press and NGO reports, in February in Medina, an unidentified man beheaded a six-year-old boy on the street in front of his mother reportedly because he was Shia. In September an academic at Qassim University, Dr. Ahmed al-Hassan, called in a tweet for rooting out heretic Shia from the holy city of Medina. Instances of prejudice and discrimination against Shia Muslims continued to occur in legal and security matters and in private sector employment. Some social media platforms for discussion of current events and religious issues included disparaging remarks about members of various religious groups or “sects.” Terms such as “rejectionists,” which Shia considered insulting, were commonly found in social media discourse. Anti-Semitic comments appeared in the media.

In his address to the Ministerial to Advance Religious Freedom on July 18, Vice President Pence called on the Saudi government to release blogger Raif Badawi, stating that Badawi, among others he highlighted, “stood in defense of religious liberty, the exercise of their faith, despite unimaginable pressure.” The Vice President added that “the United States calls on Saudi Arabia to “respect the freedom of conscience and let these men go.” In discussions with the Human Rights Commission (HRC), the Ministry of Foreign Affairs (MFA), Ministry of Islamic Affairs (MOIA), and other ministries and agencies, senior U.S. embassy and consulate officials continued to raise and discuss reports of abuses of religious freedom, arbitrary arrests and detentions, enforcement of laws against religious minorities, promotion of respect and tolerance for minority Muslim and non-Muslim religious practices and beliefs, the country’s counterterrorism law, and due process standards.

Since 2004, Saudi Arabia has been designated as a “Country of Particular Concern” (CPC) under the International Religious Freedom Act of 1998 for having engaged in or tolerated particularly severe violations of religious freedom. Most recently, on December 18, the Secretary of State redesignated Saudi Arabia as a CPC and announced a waiver of the sanctions that accompany designation as required in the important national interest of the United States pursuant to section 407 of the Act.

Section I. Religious Demography

The U.S. government estimates the country’s total population at 33.6 million (midyear 2019 estimate), including more than 12 million foreign residents.
Between 85 and 90 percent of the approximately 20 million citizens are Sunni Muslims.

Shia Muslims constitute 10 to 12 percent of the citizen population and at least one-quarter of the Eastern Province’s population. Approximately 80 percent of Shia are “Twelvers” (Shia who recognize 12 imams) and are primarily located in the Eastern Province. The Nakhawala, or “Medina Shia,” are also Twelvers and reside in small numbers in the western Hejaz region. Estimates place their numbers at approximately 1,000. Twelver Shia adhere to the Ja’afari school of jurisprudence. Most of the remaining Shia are Sulaimani Ismailis, also known as “Seveners” (those who branched off from the Twelvers to follow Isma’il ibn Ja’afar as the Seventh Imam). Seveners number approximately 500,000 and reside primarily in Najran Province, where they probably constitute a majority of the province’s inhabitants. Another branch of Sevener Shia, the Bohra Ismailis, probably number at least a few hundred, most of whom are of South Asian origin. Pockets of Zaydis, members of another branch of Shia Islam, numbering a total of approximately 20,000, reside primarily in the provinces of Jizan and Najran along the border with Yemen.

Foreign embassies indicate the noncitizen population, including many undocumented migrants, is mostly Muslim. According to a 2010 survey by the Pew Research Center, of the country’s total population (including foreigners), there were approximately 25.5 million Muslims, 1.2 million Christians (including Eastern Orthodox, Protestants, and Roman Catholics); 310,000 Hindus; 180,000 religiously unaffiliated (including atheists, agnostics, and individuals who did not identify with any particular religion); 90,000 Buddhists; 70,000 followers of folk religions; and 70,000 adherents of other religions.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The Basic Law of Governance establishes the country as a sovereign Arab Islamic state in which Islam is the official religion. The Basic Law says sharia is the “foundation of the Kingdom” and states the country’s constitution is the Quran and the Sunna. The Basic Law contains no legal recognition or protection of freedom of religion. Conversion from Islam to another religion is grounds for the charge of apostasy, which is legally punishable by death, although courts have not carried out a death sentence for apostasy in recent years.
Blasphemy against Islam may also be legally punishable by death, but courts have not sentenced individuals to death for blasphemy in recent years. Punishments for blasphemy may include lengthy prison sentences and lashings. Criticism of Islam, including expression deemed offensive to Muslims, is forbidden on the grounds of preserving social stability.

The 2017 counterterrorism law criminalizes “anyone who challenges, either directly or indirectly, the religion or justice of the King or Crown Prince.” On January 25, authorities issued implementation regulations that criminalize “calling for atheist thought in any form or calling into question the fundamentals of the Islamic religion.” The right to access legal representation for those accused of violating the counterterrorism law is limited; according to the law, “the Public Prosecutor may, at the investigative stage, restrict this right whenever the interests of the investigation so require.” There is no right to access government-held evidence.

The Basic Law states the duty of every citizen is to defend Islam, society, and the homeland. Non-Muslims must convert to Islam before they are eligible to naturalize. The law requires applicants for citizenship to attest to being Muslim and to obtain a certificate documenting their religious affiliation endorsed by a Muslim religious authority. Children born to Muslim fathers are deemed Muslim by law.

The country is the home of Mecca and Medina, Islam’s two holiest sites. The government prohibits non-Muslims from entering central Mecca or religious sites in Medina. Muslims visit these cities on the annual Hajj pilgrimage and during Umrah pilgrimage throughout the rest of the year. The government has stated that caring for the holy cities of Mecca and Medina is a sacred trust exercised on behalf of all Muslims. The country’s sovereign employs the official title of “Custodian of the Two Holy Mosques,” in reference to the two cities. The government also establishes national quotas for foreigners and issues permits to Muslim residents (including its own nationals) to participate in the Hajj.

Muslim clerics are vetted and employed by the MOIA. Only government-employed clerics are permitted to deliver sermons, which must be vetted by the MOIA in advance.

Clerics traveling abroad for proselytization activities must be granted approval by the MOIA and operate under MOIA supervision. The stated purpose of the regulation is to limit the ability of religious scholars to travel or to preach overseas
and to prevent the appearance of interference, or actual interference, by clerics in the domestic affairs of other states.

Public school students at all levels receive mandatory religious instruction based on Sunni Islam according to the Hanbali school of jurisprudence. Private schools are not permitted to deviate from the official, government-approved religious curriculum. Private international schools are required to teach Saudi students and Muslim students of other nationalities an Islamic studies course, while non-Muslim, non-Saudi students sometimes receive a course on Islamic civilization, or alternative coursework in place of the curriculum designed for Saudi students; courses amount to one hour of instruction per week. Private international schools may also teach courses on other religions or civilizations.

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV) is a government agency with authority to monitor social behavior and report violations of moral standards to law enforcement authorities. The Ministry of Interior (MOI) oversees CPVPV operations on the king’s behalf. By decree, the CPVPV’s activities are limited to providing counseling and reporting individuals suspected of violating the law to the police. The CPVPV may not detain, arrest, pursue, or demand the identification documents of any person; those actions are explicitly reserved as the purview of the police and counternarcotics units. According to law, the CPVPV must “uphold its duties with kindness and gentleness as decreed by the examples of the Prophet Mohammed.” CPVPV field officers do not wear uniforms, but they are required to wear identification badges. The CPVPV’s religious purview includes the prohibited public practice of non-Islamic faiths or displaying emblems (such as crosses) thereof; failing to respect Islam, including Ramadan fasting; “immodest” dress; displaying or selling media “contrary to Islam;” and venerating places or celebrating events inconsistent with approved Islamic practices.

The judicial system is largely based on laws derived from the Quran and the Sunna. All judges are religiously trained, although they often also have specialized knowledge of nonreligious legal subjects. In several areas, including commercial and financial matters, and criminal law related to electronic and cybercrimes or terrorism, jurisprudence increasingly is based on international models rather than religious texts. Law on religious matters, which often affects civil law, particularly on personal status issues, is developed by fatwas (official interpretations of religious law) issued by the 21-person Council of Senior Scholars (CSS) that reports to the king. The Basic Law states governance is based on justice, shura (consultation), and equality according to sharia and further identifies the Quran and
the Sunna as the sources for fatwas. The law specifies a hierarchical organization and composition of the CSS, the Permanent Committee for Scholarly Research and Religious Rulings (ijfa), and the Office of the Mufti, together with their functions. The Basic Law recognizes the CSS, supported by the Permanent Committee for Scholarly Research and Religious Rulings, as the supreme authority on religious matters. The CSS is headed by the grand mufti and is composed of Sunni religious scholars and jurists, 18 of whom are from the Hanbali school of jurisprudence, with one representative of each of the other Sunni schools (Malaki, Hanafi, and Shafi’i). There are no Shia members. Scholars are chosen at the king’s discretion and serve renewable four-year terms, with many serving for life.

The country’s legal architecture does not derive from a common law system, and judges are not bound by legal precedent. In the absence of a comprehensive criminal code, rulings and sentences can diverge widely. Criminal appeals may be made to the appellate and supreme courts, where in some instances, appellate decisions have resulted in a harsher sentence than the original court decision. Government universities provide training in all four Sunni schools of jurisprudence, with a focus on the Hanbali school.

In legal cases involving accidental death or injury, compensation sometimes differs according to the religious affiliation of the plaintiff. In the event a court renders a judgment in favor of a plaintiff who is a Jewish or Christian male, a court may rule the plaintiff is entitled to receive 50 percent of the compensation a Muslim male would receive; in some circumstances, other non-Muslims may only receive one-sixteenth the amount a male Muslim would receive.

Judges have been observed to discount the testimony of Muslims whom they deemed deficient in their knowledge of Islam, and to favor the testimony of Muslims over the testimony of non-Muslims. Under the government’s interpretation of the Quran, judges may place the value of a woman’s testimony at half that of a man’s in certain cases.

The Basic Law requires the state to protect human rights in accordance with sharia. The HRC, a government entity, is tasked with protecting, enhancing, and ensuring implementation of international human rights standards “in light of the provisions of sharia,” and regularly follows up on citizen complaints. There are no formal requirements regarding the composition of the HRC; during the year, the commission had approximately 28 members from various parts of the country, including two Shia members.
Social media users who post or share satire attacking religion face imprisonment for up to five years under the Anti-Cyber Crime Law. Those found guilty of distributing content online deemed to disrupt public order or disturb religious values would also be subject to a fine of three million riyals ($800,000). The country’s public prosecutor’s office said in a statement on Twitter: “Producing and distributing content that ridicules, mocks, provokes and disturbs public order, religious values and public morals through social media will be considered a cybercrime.”

The country is not a party to the International Covenant on Civil and Political Rights.

Government Practices

There were NGO and Shia activist reports of prison authorities abusing Shia prisoners, including two cases of abuse that led to prisoners’ deaths. On November 13, human rights NGOs announced that Hussein al-Ribh, a 38-year-old Shia activist in detention since 2017, died in Dammam Prison. Some Shia activists outside the country said that authorities tortured al-Ribh while detained. In January another Shia activist, Naif al-Omran, died after eight years in detention, while serving a 20-year sentence for protest-related charges in Qatif dating back to 2011. According to al-Omran’s family, his body bore visible marks of abuse.

On April 23, the MOI announced the execution of 37 citizens in Riyadh, Mecca, Medina, the Eastern Province, Qassim, and Asir regions in connection with “terrorism crimes.” According to HRW, at least 33 of the 37 were from the country’s minority Shia community and had been convicted following unfair trials for various alleged crimes, including protest-related offenses, espionage, and terrorism. Shia Rights Watch (SRW) reported that Shia cleric Sheikh Mohammed al-Attiyah was among the executed. Amnesty International said those executed were convicted after sham trials that violated international fair trial standards and which relied on confessions extracted through torture. In a statement, UN High Commissioner for Human Rights Michelle Bachelet commented, “It is particularly abhorrent that at least three of those killed were minors at the time of their sentencing.” According to the European Saudi Organization for Human Rights (ESOHR), at least six of the executed were minors at the time of their alleged offenses: Abdullah Salman al-Sarih and Abdulkarim Mohammed al-Hawaj, whose charges date back to age 16; and Said Mohammed al-Sakafi, Salman Amin al-Quraysh, Mujtaba Nadir al-Sweiket, and Abdulaziz Hassan al-Sahwi, whose charges date back to age 17. The government denied the individuals were minors.
and disputed the ages reported by HRW and ESOHR. The mass executions were the largest since January 2016.

On January 7, security forces raided the predominately Shia al-Jish village for suspected “links to cases of state security” in al-Qatif Governorate, killing six people and arresting others after an exchange of fire, according to Saudi Press Agency. Five officers were also wounded in the operation.

On May 11, security forces killed eight members of an alleged Shia terrorist cell in a security operation in Taroot in Qatif Governorate in the Eastern Province, according to the Presidency of State Security. The statement added the newly formed “terrorist cell” had plans to carry out terrorist operations targeting vital installations and security sites.

On January 8, security forces stormed the Shia village of Umm al-Hamam, killing five persons and injuring an unspecified number, according to SRW. SRW said authorities also used armored vehicles in a separate operation in Jaroudiya town. SRW also reported a number of arrests during these operations, including Qatif-based Shia rights activist Mohammemod Nabil al-Jowhar on January 11.

On January 20, the London-based human rights group ALQST (“Justice” in Arabic) reported that Islamic scholar Sheikh Ahmed al-Amari died as a result of poor prison conditions and possible torture. Authorities detained Al-Amari, the former dean of the School of Quran at the University of Medina, in 2018, and he suffered a brain hemorrhage on January 2. The Twitter account Prisoners of Conscience, which monitors and documents arrests in human rights cases in the country, and ALQST reported the 69-year-old’s death was caused by “intentional neglect” on the part of the prison authorities.

On August 3, rights groups reported the death of Sheikh Saleh Abdulaziz al-Dhamiri due to health complications he had developed at Tarafia Prison. Authorities kept Al-Dhamiri, who suffered from a heart condition, in solitary confinement, according to the Prisoners of Conscience Twitter account.

On November 13, family members of Islamic scholar Sheikh Fahd al-Qadi announced that al-Qadi had died in prison. The government detained Al-Qadi in 2016 and sentenced him in October to six years in prison. The circumstances surrounding his death remained unknown at year’s end. Prisoners of Conscience reported he was detained after he sent a letter of advice to the Royal Court.
As many as 39 individuals, most of them believed to be Shia, faced the possibility of execution, according to ESOHR. ESOHR also reported that up to seven minors faced possible execution, including Ali al-Nimr (nephew of Nimr al-Nimr, a Shia cleric executed by the government in 2016), Dawood al-Marhoon, and Abdullah al-Zaher. The government disputed the claim that these individuals were minors at the time they committed the acts for which they were convicted, and noted the courts use the hijri (lunar/Islamic) calendar for age computations (which could differ from Western Gregorian calendar ages by a few months). Five Shia individuals, including al-Nimr, al-Marhoon and al-Zaher, faced a final death sentence and nine faced preliminary death sentences, which still needed to be upheld by an appellate court, the Supreme Court, and the king. The trials of 25 individuals, most of them Shia, on charges carrying potential death sentences were ongoing at year’s end, and one of those convicted was awaiting the ruling of the Court of Appeal after his second verdict. Some human rights NGOs reported that many of the convictions were “based on confessions extracted through prolonged solitary confinement and torture.” International human rights NGOs reported that these individuals said authorities tortured them during pretrial detention and interrogation. Local Shia activists and international human rights groups questioned the competence, independence, and impartiality of the judiciary, and noted that the underlying charges were inconsistent with international principles of freedom of assembly, expression, and association.

According to Shia groups that track arrests and convictions of Shia Muslims, more than 300 persons remained in detention in prisons throughout the Eastern Province and additional individuals remained barred from international travel. Authorities had arrested more than 1,000 Eastern Province Shia since 2011 in connection with public protests demanding greater rights for Shia, including acts of violence, according to NGO reports. Most were held on charges involving nonviolent offenses, including participating in or publicizing protests on social media, inciting unrest in the country, and insulting the king.

At year’s end, international NGOs stated they were unable to obtain any information on the status of Ahmad al-Shammari, who had been sentenced to death for charges related to apostasy in April 2017, and was believed still to be incarcerated. According to media reports, al-Shammari posted videos to social media accounts in which he renounced Islam and the Prophet Mohammed. It was unknown whether any appeals in his case remained pending.

On August 25, the Specialized Criminal Court (SCC) sentenced prominent Shia cleric Sheikh Mohammed al-Habib, who was serving a seven-year prison sentence,
to an additional five years in prison and a five-year ban on international travel after he was convicted of supporting demonstrations in Qatif and cybercrimes. According to human rights groups, authorities detained al-Habib in response to his public statements urging the government to address anti-Shia sectarianism, including in the educational curriculum, and criticizing government clerics who had espoused anti-Shia views.

On February 1, human rights NGOs reported the public prosecutor was no longer seeking the death penalty for female Shia activist Israa al-Ghomgham, who was detained in 2015 after participating in antigovernment protests. At year’s end, she was on trial at the SCC along with five other Shia individuals, including her husband.

On June 16, a government official told Reuters the Specialized Criminal Court in Riyadh sentenced Murtaja Qureiris, a Shia who was arrested as a juvenile, to 12 years in prison, sparing him from execution. The public prosecutor had sought the death penalty for Qureiris in 2018 for protest-related offenses, some of which dated to when Qureiris was 10 years old, according to human rights groups, including Amnesty International.

Raif Badawi remained in prison at the end of the year based on his 2013 conviction for violating Islamic values, violating sharia, committing blasphemy, and mocking religious symbols on the internet. Originally sentenced to seven years in prison and 600 lashes in 2013, a court increased Badawi’s sentence on appeal to a 10-year prison term and 1,000 lashes. Badawi received 50 lashes in 2015; the government has not carried out the remaining 950 lashes and authorities suggested informally that there were no current plans to do so. According to international human rights contacts, Badawi declared a hunger strike in September to protest his poor treatment and lack of medical attention while in prison. In December he reportedly went on a second hunger strike to protest his placement in solitary confinement.

The government continued to imprison individuals accused of apostasy and blasphemy, violating Islamic values and moral standards, insulting Islam, black magic, and sorcery. In January local media reported authorities arrested an Arab expatriate of unspecified nationality for sorcery.

In April, authorities detained Thumar al-Marzouqi, Mohammed al-Sadiq, and Bader al-Ibrahim, who wrote in the past on the discrimination faced by Shia in the country. By year’s end, authorities had not filed official charges against them and they remained in detention. According to the Committee to Protect Journalists, al-
Sadiq and al-Ibrahim write regularly for *Al-Arabi al-Jadeed*, a Qatari funded news website based in London, while al-Marzouqi published articles on his own blog as well as contributing to *Al-Arabi al-Jadeed* and to the *Okaz* newspaper.

During the year, the SCC continued trials against some clerics, academics, and members of the media for alleged association with the Muslim Brotherhood (MB). The accused included prominent Muslim scholars Salman al-Odah, Awad al-Qarni, and Ali al-Omari. The three were arrested in 2017. According to Saudi and international rights groups, the public prosecutor sought the death penalty against them. The public prosecutor leveled 37 charges against al-Odah, the vast majority of which were connected to his alleged ties with the MB and the Qatari government, and his public support for imprisoned dissidents. In reviewing some of the specific charges, HRW noted, “The initial charges are mostly related to his alleged ties to the MB and other organizations supposedly connected to it.” The 30 charges against al-Omari included “forming a youth organization to carry out the objectives of a terrorist group inside the Kingdom.” The government continued to regard the MB as a terrorist organization. Amnesty International reported al-Odah was ill-treated while in prison, including solitary confinement.

On May 18, authorities released Shia cleric Tawfiq al-Amer from prison after he completed his eight-year jail term. Officers arrested al-Amer in 2011 and the SCC convicted him in August 2014 of slander against the state and abuse of the faith, stirring up sectarian strife, and calling for change in a series of sermons delivered in 2011.

In March authorities detained Shia cleric Majed al-Sadah for three days over comments criticizing concerts sponsored by the government’s General Entertainment Authority (GEA) in his hometown of Saihat, Qatif Governorate. According to online activists, al-Sadah had to sign a written pledge to refrain from interfering in internal affairs. According to *Al-Jazeera*, authorities arrested cleric Omar al-Muqbil in September after he criticized music concerts sponsored by GEA, calling them a threat to the kingdom’s culture, according to the Prisoners of Conscience rights group. Al-Muqbil described in a video the GEA’s actions as “erasing the original identity of society.”

A court sentenced an Indian national to 10 years for “misusing social media,” “blasphemy,” and “hurting the religious and national sentiment of the Kingdom.”

During the year, social media reported the SCC held many hearings in the trial of influential religious scholar Safar al-Hawali. The government detained al-Hawali
along with three of his sons in 2018. Al-Hawali, often linked to the MB, rose to prominence 25 years ago as a leader of the Sahwa (Awakening) movement, which agitated to bring democracy to the country and criticized the ruling family for corruption, social liberalization, and working with the West.

During the year, the SCC held at least five hearings on the case of cleric Hassan Farhan al-Maliki, described by HRW as a religious reformer, in detention since September 2017. In 2018, the public prosecutor sought the death penalty for al-Maliki on 14 charges, including calling into question the fundamentals of Islam by casting doubt on prophetic Sunna and hadith (the record of the traditions or sayings of the Prophet Mohammed), propagating deviant beliefs, holding an impure (takfiri) ideology, insulting the rulers and CSS and labeling them as extremists, glorifying the Khomeini-led revolution in Iran, and supporting Hizbollah and ISIS.

In February Deputy Governor of Makkah Province Badr bin Sultan bin Abdul Aziz ordered the arrest of comedian Yasir Bakr for allegedly mocking the CPVPV at an entertainment event in Jeddah. Bakr, founder of Al-Comedy Club in Jeddah, later appeared in a video on Twitter apologizing for his comments.

On April 20, local media reported that the public prosecutor summoned a man for investigation regarding a tweet that “disturbed public order” under the Anti-Cyber Crime Law. According to press reports, the man tweeted a call for all women in the country wearing a niqab to come together at Riyadh Boulevard in order to burn them, according to media reports.

On June 23, authorities arrested Dammam-based Shia cleric Sheikh Abdullatif Hussain al-Nasser when he attempted to travel to Bahrain. The government provided no reason for his arrest. Security officials interrogated Abdullatif and then transferred him to the State Security Prison in Dammam, according to activists.

On June 27, the SCC held the first hearing for three Shia men, Ramzi al-Jamal, Ali Hasan al-Zayyed, and Mohammed Issa al-Labbad, who turned themselves in to security authorities in 2017 after their names appeared on a list of 23 individuals wanted by the authorities. The public prosecutor sought the death penalty for the three on protest-related charges, according to ESOHR and activists.

Human rights NGOs and legal experts continued to criticize antiterrorism laws for using overly broad and vague language, making them susceptible to politicization and other abuse.
The government continued to prohibit the public practice of any non-Islamic religion. According to civil society sources and media reports, non-Muslims and many foreign and local Muslims whose religious practices differed from the form of Sunni Islam promoted by the government could only practice their religion in private and remained vulnerable to detention, discrimination, harassment, and, for noncitizens, deportation. According to members of the expatriate community, some Christian congregations were able to conduct large Christian worship services discreetly and regularly without substantial interference from the CPVPV or other government authorities.

The MOIA maintained active oversight of the country’s religious establishment and provided guidance on the substance of Friday sermons; it restricted the inclusion of content in those sermons considered sectarian, political, or extremist, promoting hatred or racism, or including commentary on foreign policy. Mosques continued to be the only legally permissible public places of worship. The government continued to address ideology it deemed extremist by scrutinizing clerics and teachers closely and dismissing those found promoting views it deemed intolerant, extreme, or advocating violence. The MOIA continued to use ministry inspectors, regional branch inspectors, field teams, citizen feedback, and the media to monitor and address any violations of the ministry’s instructions and regulations in mosques. MOIA oversight of mosques in less populated areas was not always as strict as it was in urban areas. In 2018 the MOIA created a hotline for individuals to report statements by imams that observers considered objectionable. A May article in a government-linked newspaper described the hotline as a 24/7 service to report “undisciplined imams and mosques that need maintenance.” In 2018 the MOIA launched a mobile phone app called Masajed (mosques) which monitors sermons and allows mosque-goers to rate their preacher on a number of aspects of their work.

In March the MOIA revealed in a statistical report that it printed 90,000 books in English and French to combat religious extremism and radicalization, including books titled Moderation in Islam, Human Rights in Islam, and Introducing Islam.

In March the Council of Ministers approved a new regulation for imams and muezzins of the two Holy Mosques in Mecca and Medina stipulating that the clerics be “moderate,” among other requirements.

Practices diverging from the government’s official interpretation of Islam, such as public celebrations of Mawlid al-Nabi (the birthday of the Prophet Muhammad)
and visits to the tombs of renowned Muslims, remained forbidden. Some Shia community members reported that Shia pilgrims were permitted to celebrate Eid al-Ghadir, a Shia-specific holiday, after the Hajj. Sources also stated that Shia pilgrims were permitted to approach, but not touch, the graves of the four Shia imams buried in the al-Baqi Cemetery in Medina for a period of two hours after morning prayers and two hours after noon prayers.

While authorities indicated they considered members of the Ahmadiyya Muslim Community to be Muslims, the group’s legal status remained unclear, and community members said the mainly foreign resident Ahmadi Muslims hid their faith to avoid scrutiny, arrest, or deportation.

Since 2016, authorities have permitted large-scale public commemorations of Ashura and other Shia holidays in Qatif, home to the largest Shia population in the country. These commemorations included significant deployment of government security personnel in the Qatif area during the Ashura commemoration in September. According to community members, processions and gatherings appeared to increase over previous years due to decreased political tensions and greater coordination between the Shia community and authorities.

The government stated that individuals who experienced infringements on their ability to worship privately could address their grievances to the MOI, HRC, the National Society for Human Rights (a quasi-governmental organization), and, when appropriate, the MFA. Religious groups reported, however, that officials typically charged those arrested during private worship services with gender-mixing, playing music, or other infractions not explicitly related to religious observance. There were again no reports of individuals contacting these or other governmental agencies for redress when their ability to worship privately was infringed.

According to government policy, non-Muslims generally were prohibited from being buried in the country. There is, however, a public, non-Islamic cemetery in Jeddah, although the government did not support it financially. There also is a private, non-Muslim cemetery only available to Saudi Aramco employees. Diplomatic missions reported most non-Muslims opted to repatriate their deceased to their home countries whenever financially possible.

In mixed neighborhoods of Sunni and Shia residents, authorities generally required all mosques, including Shia mosques, to use the Sunni call to prayer. In predominantly Shia areas such as Qatif, however, and in some Shia areas of al-
Ahsa Governorate in the Eastern Province, authorities allowed Shia mosques to use the Twelver Shia variant of the call to prayer. In smaller Shia villages, community members stated it was common for Shia businesses to close for three prayer times (not five times per Sunni practice), or in some instances not to close at all.

The government continued to set policy aimed at enforcing Islamic norms; for example, the government prohibited eating, drinking, or smoking in public during Ramadan. According to media reports, the government prohibited parents from giving their children any of 50 listed names deemed blasphemous, non-Arabic, or non-Islamic.

The government did not recognize certificates of educational attainment for graduates of some Shia religious centers of instruction for employment credit, while the government generally recognized graduates of Sunni religious training institutions for government positions and religious jobs.

The government continued a multi-year project, begun in 2007, to revise textbooks, curricula, and teaching methods with the stated aim of removing content disparaging religions other than Islam. The Institute for Gulf Studies found that Saudi textbooks in 2019 were still teaching students that “Christians, Jews, and other Muslims are ‘enemies’ of the true believer, and to befriend and show respect only to other true believers, specifically the Wahhabis.” According to the Institute for Monitoring Peace and Cultural Tolerance in School Education, Saudi textbooks in 2019 taught students “to consider Jews ‘monkeys’ and ‘assassins’ bent on harming Muslim holy places, and to punish gays by death.” Shia community representatives in the Eastern Province reported throughout 2018-19 that textbooks no longer disparaged Shia beliefs. The Anti-Defamation League reported the newest edition of textbooks for the fall of 2019 continued to contain problematic passages.

Some travelers entering the country reported they were able to import a Bible for personal use, but the government regularly exercised its ability to inspect and confiscate personal non-Islamic religious materials.

Some academic experts reported the government continued to exclude perspectives at variance with the Salafi tradition within Sunni Islam from its extensive government-owned religious media and broadcast programming.

The government continued to block certain websites as part of a broader policy of censoring online content that contained “objectionable” content such as views of
religion it considered extremist or ill-informed. The government shut down or blocked Twitter accounts for users “committing religious and ethical violations,” and authorities arrested an undisclosed number of social media users in accordance with the anti-cybercrimes law. The government also located and shut down websites used to recruit jihadis or inspire violence. In 2017 authorities announced they unblocked the calling features of certain private messenger apps, including Viber, FaceTime, and Facebook Messenger. Some users reported that the calling features of WhatsApp and Skype still remained blocked.

The government financially supported approximately 70 percent of Sunni mosques, while the remaining 30 percent were at private residences or were built and endowed by private persons. The construction of any new mosque required the permission of the MOIA, the local municipality, and the provincial government, which allocated space and issued building permits. The MOIA supervised and financed the construction and maintenance of most Sunni mosques, including the hiring of clerics.

Shia Muslims managed their own mosques under the supervision of Shia scholars. Most existing Shia mosques in the Eastern Province did not seek official operating licenses, as doing so would require asking the government to approve extension of endorsement of these mosques, according to some NGO reports. The government did not finance the construction or maintenance of Shia mosques; Shia congregations self-funded construction, maintenance, and repairs. Authorities prohibited Shia Muslims outside of the Eastern Province from building Shia-specific mosques. Construction of Shia mosques required government approval, and Shia communities were required to receive permission from their neighbors to start construction on mosques. Authorities allowed Shia communities to rebuild a mosque in Taroot, near Qatif, during the year. Two Shia mosques in Dammam remained licensed by the government and served approximately 750,000 worshippers. There continued to be no licensed Shia mosques in major urban centers such as Jeddah, Riyadh, or al-Khobar. Shia in those areas were therefore forced to hold prayers in private homes and community centers, where some Shia said they were subject to police harassment. Expatriate Shia reported threats of arrest and deportation if they gathered privately in large groups to worship and were detected by authorities.

Following ISIS attacks against Shia mosques and gathering places in 2015, security services continued to provide protection for many Shia mosques and gathering places in the Eastern Province. Additionally, media and other sources reported coordination between Shia volunteers and government security services to
ensure security outside mosques and other gathering places during Friday sermons or other large public events.

Multiple reports from Shia groups cited discrimination in the judicial system as the catalyst for lengthy prison sentences handed down to Shia Muslims for engaging in political expression or organizing peaceful demonstrations. The government permitted Shia judges in the Eastern Province to use the Ja’afari school of Islamic jurisprudence to adjudicate cases in family law, inheritance, and endowment management. There were five Shia judges, all government-appointed, located in the Eastern Province cities of Qatif and al-Ahsa, where the majority of Twelver Shia live. Community sources reported Sunni judges sometimes completely disregarded or refused to hear testimony by Shia Muslims.

Reported instances of prejudice and discrimination against Shia Muslims continued to occur, particularly with respect to educational and public sector employment opportunities. Shia stated they experienced systemic government discrimination in hiring. There was no formal policy concerning the hiring and promotion of Shia in the private sector, but some Shia stated public universities and employers discriminated against them, occasionally by identifying an applicant for education or employment as Shia simply by inquiring about the applicant’s hometown. Many Shia stated that openly identifying as Shia would negatively affect career advancement.

Representation of Shia Muslims in senior government positions continued to be well below their proportion of the population, including in national security-related positions in the Ministry of Defense, the National Guard, and the MOI. The 35-member cabinet contained one Shia minister, Mohammed bin Faisal Abu Saq, a Shia Ismaili, who has held the position of Minister of State for Shura Affairs since 2014. There were no Shia governors, deputy governors, ministry branch directors, or security commanders. There were seven Shia members of the 150-member Shura Council. A small number of Shia Muslims occupied high-level positions in government-owned companies and government agencies.

Multiple municipal councils in the Eastern Province, where most Shia Muslims were concentrated, had significant proportions of Shia members, including in the two major Shia population centers of Qatif and al-Ahsa, where five of the 12 government-appointed municipal council members were Shia, and Shia Muslims held 16 of the 30 elected seats on the municipal councils. Eastern Province Shia judges dealing with intra-Shia personal status and family laws operated specialized courts. Shia Muslims were significantly underrepresented in national security-
related positions, including the Ministries of Defense and Interior and the National Guard. In predominately Shia areas, there was some Shia representation in the ranks of the traffic police, municipal government, and public schools. According to HRW, the Saudi government systematically discriminated against Muslim religious minorities, notably Twelver Shia and Ismailis, including in the justice system, education, and employment.

According to international human rights groups, Shia Muslims were not represented in proportion to their percentage of the population in academic positions in primary, secondary, and higher education, and virtually all public school principals remained Sunni, although some teachers were Shia. Along with Sunni students, Shia students received government scholarships to study in universities abroad under the Custodian of the Two Holy Mosques Program for Foreign Scholarship.

There were continued media reports that some Sunni clerics, who received government stipends, used anti-Semitic and religiously intolerant language in their sermons. Reports of government-employed clerics using anti-Semitic language in their sermons, including some instances at Friday prayers in Mecca, reportedly were rare and occurred without authorization by government authorities. During the year, the MOIA issued periodic circulars to clerics and imams in mosques directing them to include messages on the principles of justice, equality, and tolerance and to encourage rejection of bigotry and all forms of racial discrimination in their sermons. Unlicensed imams, however, continued to employ intolerant views in internet postings or unsanctioned sermons in areas without government monitoring.

The government’s stated policy remained for its diplomatic and consular missions abroad to inform foreign workers applying for visas that they had the right to worship privately and to possess personal religious materials. The government also provided the names of offices where grievances could be filed.

The government required noncitizen legal residents to carry an identity card containing a religious designation of “Muslim” or “non-Muslim.” Some residency cards, including some issued during the year, indicated other religious designations such as “Christian.”

The government hosted many Jewish and Christian religious leaders, but did not officially permit most non-Muslim clergy to enter the country for the purpose of conducting religious services. Entry restrictions made it difficult for non-Muslims
to maintain regular contact with resident clergy, according to non-Muslim religious groups in neighboring countries. Catholic and Orthodox Christians, whose religious traditions require they receive sacraments from a priest on a regular basis, continued to hold low-profile services without government harassment, although they reportedly found restrictions on clergy travel particularly problematic. Authorities also allowed regular visits by the Catholic bishop, resident in Bahrain, who has responsibility for Catholics in the country, and by evangelical Protestant leaders.

In November the Presidency of State Security released a video on Twitter that categorized feminism, homosexuality, and atheism as extremist ideas. The animated clip said “all forms of extremism and perversion are unacceptable.” It also included *takfir*, the practice by some Muslims of labeling followers of other schools of Islam unbelievers, among the categories of unacceptable behavior. The security agency later deleted the post and said the video contained “many mistakes” while suggesting that those behind it would face a formal investigation, according to a statement posted by the official press agency.

According to NGO reports, Umm al-Qura University’s Department of Islamic Studies continued to teach a course on Judaism saying that Jews rely on three texts: “The Torah, The Talmud, [and] *The Protocols of [the Elders of] Zion.*” In addition, the reports characterized the university’s course curriculum as heavily anti-Semitic, speaking of the “evil traits” of the Jewish people.

On April 5, August 23, October 11, and December 27, Sheikh Saleh bin Humaid, a royal advisor and a CSS member, delivered Friday sermons in the Holy Mosque in Makkah in which he prayed to God to “destroy the usurping occupying Zionist Jews.”

In May the Muslim World League’s (MWL) Secretary-General Mohammed al-Issa called for the protection of followers of religions and places of worship after the terrorist attack on a Jewish temple in California and previous terrorist crimes. Al-Issa offered condolences to a number of Jewish religious leaders in New York.

During the May MWL International Conference on Moderation in Islam in Mecca, King Salman called for encouraging “concepts of tolerance and moderation, while strengthening the culture of consensus and reconciliation.” He added that the country was founded on values of moderation. The conference adopted the “Mecca Charter,” which calls for laws “to deter the promotion of hatred, the
instigation of violence and terrorism, or a clash of civilizations, which foster religious and ethnic disputes.”

In March Shia vocalist Saber al-Modhi appeared on the Saudi Broadcasting Corporation (SBC) channel in a talk show hosted by Dawood al-Shirian, the former head of SBC, during which al-Modhi recited religious poems typically recited in husseiniyas, Shia prayer halls. This is believed to be the first appearance on an official TV channel by a Shia religious chanter.

During the year, some Qatari nationals again reported being unable to perform the annual Hajj pilgrimage due to logistical obstacles stemming from border closures and restrictions imposed by Saudi Arabia, the United Arab Emirates, Bahrain, and Egypt on Qatar in 2017. The Saudi Press Agency announced that Qatari and foreign residents of Qatar would be allowed to land at Jeddah or Medina airports to perform the Hajj. The government offered Qatari pilgrims internet registration and visa issuance on arrival in Jeddah and Medina. In May, however, the government of Qatar stated that the Saudi government continued to deny Qatar-based religious tour operators’ access to Saudi Arabia to make Hajj and Umrah arrangements for pilgrims. Deputy Minister of Hajj and Umrah Abdul Fattah Mashat said that the government rejected the politicization of the holy rituals, adding that it has never barred any nationalities from performing them.

On September 10, the crown prince met with U.S. evangelical Christian figures in Jeddah. Following the meeting, the group met with MWL Secretary-General Mohammed al-Issa to discuss ways both parties could counter extremism and exchanged ideas on possible initiatives and programs to increase mutual respect at the grass roots level. The delegation and the MWL agreed in a joint statement to promote respect for religions and mutual trust and to encourage religious harmony.

On April 28, al-Issa visited a New York synagogue, the first such trip by an MWL leader to a Jewish house of worship in the United States, and signed an agreement with the NGO Appeal of Conscience Foundation supporting the protection of religious sites around the world. On April 30, al-Issa signed a memorandum of understanding with American Jewish Committee (AJC) in which the MWL and AJC agreed “to further Muslim-Jewish understanding and cooperate against racism and extremism in all its forms.” In May the MWL invited a Jewish delegation to visit the country in January 2020. Al-Issa said discussions during the visit, the first ever by a Jewish group, would address the issue of Holocaust denial.
In November the Saudi Press Agency reported that al-Issa visited Utah and met with leaders of The Church of Jesus Christ of Latter-day Saints to discuss “ways of supporting bridging relations between followers of religions and cultures to promote peace and positive harmony.”

At the annual Jeddah International Book Fair, several vendors sold anti-Semitic material, including *The Protocols of the Elders of Zion* and *Mein Kampf*. Additional titles were observed that linked Jews to conspiracies.

**Section III. Status of Societal Respect for Religious Freedom**

According to press and NGO reports, in February in Medina, an unidentified man beheaded a six-year-old boy on the street in front of his mother, reportedly because he was a Shia. Local media reported the public prosecutor’s office in Medina assured the victim's family that it was investigating the perpetrator.

Social media provided an outlet for citizens to discuss current events and religious issues, which sometimes included making disparaging remarks about members of various religious groups or “sects.” In addition, terms like “rejectionists” (of the first three caliphs that Sunni Muslims recognize as the Prophet Mohammed’s legitimate successors), which Shia consider insulting, were commonly found in public discourse. In September an academic at Qassim University, Ahmed al-Hassan, called in a tweet for rooting out Shia from the holy city of Medina, stating that “myths and self-flagellation of Persians has reached the holiest place on earth… They must be uprooted and eradicated before this disease spreads.” In January cleric Nasser Saleh al-Muazaini named Shia “rejectionists” in a tweet. In February another tweet described Shia as “enemies of God” and “infidels.”

Instances of prejudice and discrimination against Shia Muslims continued to occur in private sector employment.

Community members reported that individuals who converted from Islam to Christianity almost always did so in secret, fearing the reactions of family members and the threat of criminal charges, up to and including execution. The NGO Open Doors reported that women in particular feared loss of parental rights or being subjected to physical abuse as a result of converting from Islam.

While discussion of sensitive topics on social media was frequent, self-censorship on social media remained prevalent when discussing topics such as politics, religion, or the royal family.
Anti-Semitic comments occasionally appeared in the media. In January columnist Muhammad al-Sa'idi wrote in an article in *Al-Watan* newspaper that Jews deliberately promote the publication and circulation of anti-Semitic literature in Arab countries that describes them as secretly running the world “in order to convince the Arabs of their power and thereby demoralize and frighten them.” When the same literature appears in the West, he added, the Jews fight it in order to maintain their positive image and present themselves as victims.”

On March 3, journalist and businessman Hussein Shobakshi wrote in his column in the London-based *Asharq al-Awsat* Arabic daily, owned by a member of the royal family, of the “deeply rooted hatred of Jews in Islamic culture,” in which the term “Jew” is strongly derogatory. He stated, “Anti-Semitism in the Arab world is the product of loathsome, racist education that is rooted in the Arab mentality that is used to labeling people according to tribal, family, and racial affiliation, and according to the religious school to which they belong.”

On April 5 and August 23, Sheikh Saleh bin Humaid, a royal advisor and a CSS member, delivered Friday sermons in the Holy Mosque in Mecca in which he prayed to God to “destroy the usurping occupying Zionist Jews.” His prayer included, “Oh Allah, show us the wonders of Your might and ability inflicted upon them.”

In May columnist Mansour al-Nugaidan, who U.S. National Public Radio described as a former “jihadi” turned “moderate,” said in an interview with Dubai-based Rotana Khalijiah TV channel “atheism is a faith that should be respected because it’s man’s choice.”

**Section IV. U.S. Government Policy and Engagement**

In his address to the Ministerial to Advance Religious Freedom on July 18, the Vice President called on the government to release blogger Raif Badawi, stating Badawi and others “stood in defense of religious liberty, the exercise of their faith, despite unimaginable pressure.” The Vice President added the United States calls on Saudi Arabia to “respect the freedom of conscience and let these men go.” Senior embassy and consulate general officers pressed the government to respect religious freedom, eliminate discriminatory enforcement of laws against religious minorities, and promote respect and tolerance for minority religious practices and beliefs. The Ambassador and embassy officers engaged Saudi leaders and officials at all levels on religious freedom and tolerance. The Ambassador and embassy
officers raised religious freedom principles and cases with the HRC, members of the Shura Council, the MFA, the MOIA, the Muslim World League, and other ministries and agencies during the year. Senior embassy and consulate officials raised reports of abuses and violations of religious freedom, arbitrary arrests and detention, the country’s counterterrorism law, and due process standards. They also discussed the importance of respect for the rights of minorities and their religious practices.

Senior embassy and consulate officials continued to query the legal status of detained or imprisoned individuals and discussed religious freedom concerns, such as religious assembly and importation of religious materials, with members of religious minorities, including Shia and citizens who no longer consider themselves Muslims, as well as with non-Muslim foreign residents.

Since 2004, Saudi Arabia has been designated as a CPC under the International Religious Freedom Act of 1998 for having engaged in or tolerated particularly severe violations of religious freedom. Most recently, on December 18, the Secretary of State redesignated Saudi Arabia as a CPC and announced a waiver of the sanctions that accompany designation as required in the important national interest of the United States pursuant to section 407 of the Act.
Tab 4
EXECUTIVE SUMMARY

The Kingdom of Saudi Arabia is a monarchy ruled by King Salman bin Abdulaziz Al Saud, who is both head of state and head of government. The 1992 Basic Law sets out the system of governance, rights of citizens, and powers and duties of the government, and it provides that the Quran and Sunna (the traditions of the Prophet Muhammad) serve as the country’s constitution. It specifies that the rulers of the country shall be male descendants of the founder, King Abdulaziz (Ibn Saud). In 2015 the country held its most recent municipal elections on a nonparty basis for two-thirds of the 3,159 seats in the 284 municipal councils around the country. Independent polling station observers did not identify significant irregularities with the elections.

The State Security Presidency (SSP), the National Guard, and the Ministries of Defense and Interior, all of which report to the king, are responsible for law enforcement and maintenance of order. The SSP includes the General Directorate of Investigation (Mabahith), Special Security Forces, and Special Emergency Forces; police are under the Ministry of Interior. Civilian authorities generally maintained effective control over the security forces.

Through royal decrees the government instituted significant reforms to male guardianship provisions that had long required women to obtain permission from a close male relative for a range of activities, including applying for passports and traveling abroad, registering the birth of a child, registering a marriage or divorce, obtaining status as a “head of household,” and seeking legal guardianship of children. Other new regulations expanded women’s economic empowerment by banning gender discrimination in the workplace and opening new employment opportunities for women.

Significant human rights issues included: unlawful killings; executions for nonviolent offenses; forced disappearances; torture of prisoners and detainees by government agents; arbitrary arrest and detention; political prisoners; arbitrary interference with privacy; criminalization of libel, censorship, and site blocking; restrictions on freedoms of peaceful assembly, association, and movement; severe restrictions of religious freedom; citizens’ lack of ability and legal means to choose their government through free and fair elections; trafficking in persons; violence and official discrimination against women, although new women’s rights
initiatives were implemented; criminalization of consensual same-sex sexual activity; and prohibition of trade unions.

In several cases the government did not punish officials accused of committing human rights abuses, contributing to an environment of impunity. Following the high-profile October 2018 killing of journalist Jamal Khashoggi in Turkey, a court sentenced five officials to death and three officials to prison on December 23. The court ruled that guilt could not be established in the case of three other defendants.

In September state-owned oil processing facilities in Abqaiq and Khurais were attacked by drones and missiles. Houthi militants in Yemen claimed responsibility, but the Saudi government concluded Iran was responsible for the attack. Houthi militants were also responsible for numerous other attacks on civilian infrastructure inside Saudi Arabia, including airports, schools, hospitals, and oil facilities. Saudi Arabia continued air operations in Yemen throughout the year as leader of a coalition formed in 2015 to counter the 2014 Houthi takeover of government institutions and facilities. Saudi-led coalition airstrikes in Yemen reportedly resulted in civilian casualties and damage to infrastructure on multiple occasions. The pace of airstrikes declined in the fall, as the warring parties pursued a negotiated settlement to the conflict. The coalition’s Joint Incident Assessment Team (JIAT) investigated allegations of civilian casualties, but the Saudi government did not prosecute any cases based on JIAT findings.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were several reports that the government or its agents committed arbitrary or unlawful killings. On January 20, the London-based Saudi human rights group ALQST reported that Islamic scholar Sheikh Ahmed al-Amari died as a result of poor prison conditions and possible torture. Al-Amari, the former dean of the School of Quran at the University of Medina, was detained in July 2018 and suffered a brain hemorrhage on January 2. The government did not formally charge Al-Amari with a crime, and the specific reasons for his detention were not disclosed. The Twitter account Prisoners of Conscience, which documents human rights cases in the country, asserted his death was due to “intentional neglect” by prison authorities. On November 13, family members of Islamic scholar Sheikh Fahd al-Qadi announced that he died in prison; the circumstances surrounding his death were unknown. Detained since 2016, al-Qadi was sentenced in October to
six years in prison. Prisoners of Conscience reported he was detained after sending a letter of advice to the Royal Court.

According to an August Human Rights Watch (HRW) report, Ethiopian migrants crossing the border in rural, mountainous areas from Yemen’s Saada Governorate into Saudi Arabia’s Jizan Province reported being shot at with live ammunition by Saudi border guards, sometimes without warning. Migrants reported witnessing others being shot in the leg and chest and seeing “many dead people at the border.”

On December 23, a court sentenced 11 government agents accused of killing journalist Jamal Khashoggi at the Saudi Arabian consulate in Istanbul, Turkey, in October 2018. The court did not publicly name the defendants but sentenced five to death; three to prison sentences ranging from seven to 10 years; and ruled that guilt could not be established in the case of three others--including the former deputy director of the General Intelligence Presidency. The defendants, prosecutors, and victim’s family can appeal the verdicts. No additional individuals were believed to be under continuing investigation. In an op-ed column published on the day of the verdicts, UN special rapporteur Agnes Callamard stated the trial was “grossly inadequate” and did not meet “even minimum international standards.” A government official stated in a press conference following the announcement of the verdicts that investigators did not indict former royal court official Saud al-Qahtani due to “insufficient evidence.” Human rights groups asserted the lack of significant prison sentences for the most senior officials suspected of involvement in the killing was indicative of a climate of impunity for human rights violations in the country. Authorities allowed some diplomatic observers to attend trial hearings during the year.

Under the country’s interpretation and practice of sharia (Islamic law), capital punishment may be imposed for a range of nonviolent offenses, including apostasy, sorcery, and adultery, although in practice death sentences for such offenses were rare and usually reduced on appeal. The government, however, frequently implemented capital punishment for nonviolent drug trafficking offenses. As of November 11, the country carried out 177 executions, 77 of which were for drug-related offenses. According to Amnesty International, this was the highest number of executions in a single year since 1995, when authorities carried out 192 executions.

Since the country lacks a comprehensive written penal code listing criminal offenses and the associated penalties for them (see section 1.e.), punishment--including the imposition of capital punishment--is subject to considerable judicial
discretion. Defendants are able to appeal their sentences. The law requires a five-judge appellate court to affirm a death sentence, which a five-judge panel of the Supreme Court must unanimously affirm. Appellate courts may recommend changes to a sentence, including increasing the severity of a lesser sentence, including up to the death penalty if the trial court convicted the defendant of a crime for which capital punishment is permitted.

Defendants possess the right under the law to seek commutation of a death sentence for some crimes and may receive a royal pardon under specific circumstances (see section 1.d.). In some prescribed cases (qisas), the families of the deceased may accept compensation from the family of the person convicted in an unlawful death, sparing the convicted from execution.

On February 1, human rights groups reported the public prosecutor was no longer seeking the death penalty for female activist Israa al-Ghomgham, held since 2015 after participating in antigovernment protests in the Eastern Province. She was facing trial before the Specialized Criminal Court (SCC) along with five other individuals, including her husband, on terrorism and conspiracy charges.

Nongovernmental organizations (NGOs) such as Amnesty International asserted that many of those executed during the year were convicted in trials that did not meet international minimum fair-trial standards. On April 23, the Ministry of Interior announced the execution of 37 citizens in Riyadh, Mecca, Medina, the Eastern Province, Qassim, and Asir regions in connection with “terrorism crimes.” The mass execution was the largest since 2016. The Ministry of Interior stated the culprits “adopted extremist terrorist ideology and formed terrorist cells to spread corruption, insecurity, chaos…in addition to attacking security headquarters by using explosive bombs.” Amnesty condemned the executions, stating, “The majority of those executed were Shi’a men who were convicted after sham trials that violated international fair-trial standards (and) which relied on confessions extracted through torture.”

The government also imposed death sentences for crimes committed by persons younger than 18. According to Amnesty International and the European Saudi Organization for Human Rights (ESOHR), at year’s end three individuals on death row were minors when detained or at the time they committed offenses. The new Juvenile Law (approved by Royal Decree No. M/113, dated August 1, 2018) sets the legal age at 18 based on the Hijri calendar and in some cases permits detention of minors in a juvenile facility for up to 15 years if the crime is otherwise punishable by death. The law, however, does not categorically prohibit executions
of minors; Article 16 of the law states the provisions of the Juvenile Law shall not prejudice the applicable sharia provisions related to hudood or qisas crimes. Hudood crimes have punishments fixed in the Quran, and in qisas cases, the family of an unlawfully killed person retains the right to insist on execution.

In a statement after the mass executions in April, UN high commissioner for human rights Michelle Bachelet noted, “[i]t is particularly abhorrent that at least three of those killed were minors at the time of their sentencing.” Although disputed by authorities, the ESOHR claimed at least six of the executed were minors at the time of their alleged offenses: Abdullah Salman al-Sarih and Abdulkarim Mohammad al-Hawaj, whose charges date back to age 16, and Said Mohammad al-Sakafi, Salman Amin al-Quaysh, Mujtaba Nadir al-Sweiket, and Abdulaziz Hassan al-Sahwi, whose charges date back to age 17.

At year’s end the government had not carried out the execution of Ali Mohammed Baqir al-Nimr, sentenced to death in 2014 for crimes he allegedly committed when he was 17. Al-Nimr was charged with protesting, aiding and abetting fugitives, attacking security vehicles, and various violent crimes. Human rights organizations reported due process concerns relating to minimum fair-trial standards for his case. Al-Nimr was the nephew of Shia cleric Nimr al-Nimr, executed in 2016.

Abdullah al-Zaher and Dawood al-Marhoon, both Shia, faced execution in connection with their involvement in antigovernment protests; at the time of their arrests in 2012, al-Zaher and al-Marhoon were 16 and 17, respectively.

On June 16, Reuters reported the SCC reduced the sentence against Murtaja Qureiris from the death penalty to a 12-year prison term. According to rights groups including Amnesty International, Qureiris was detained in 2014 for a series of offenses committed when he was between 10 and 13 years old.

There were several terrorist attacks in the country during the year, but unlike in the previous year, there were no reports of deaths of civilians or security officials resulting from these attacks.

b. Disappearance

There were reports of disappearances carried out by or on behalf of government authorities.
On May 20, Reporters Without Borders stated that authorities were holding Abdel Rahman Farhaneh, a Jordanian journalist who disappeared in the east of the country in February, and Marwan al-Muraiasi, a Yemeni journalist missing in Saudi Arabia since June 2018.

In 2018 the UN Working Group on Enforced or Involuntary Disappearances transmitted the case of humanitarian worker Abdulrahman al-Sadhan to the government under its urgent action procedure. According to his family, al-Sadhan was disappeared in Riyadh in March 2018 and was reportedly subjected to “severe torture” by authorities. Al-Sadhan remained missing at year’s end.

ALQST called on authorities to investigate the disappearances of journalist Turki al-Jasser, who disappeared in 2018; Syrian Khaled Mohammed Abdulaziz, who disappeared in 2017 while performing the Hajj pilgrimage; and Sulaiman al-Dowaish, who disappeared in 2016 after posting tweets critical of Crown Prince Mohammed bin Salman.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and makes officers, who are responsible for criminal investigations, liable for any abuse of authority. Sharia (customary Islamic law), as interpreted in the country, prohibits judges from accepting confessions obtained under duress. Statutory law provides that public investigators shall not subject accused persons to coercive measures to influence their testimony.

Multiple human rights organizations, the United Nations, and independent third parties noted numerous reports of torture and mistreatment of detainees by law enforcement officers. Human rights organizations reported the SCC based its decisions on confessions allegedly obtained through torture and then admitted as evidence.

Human rights organizations and media outlets reported some detained women’s rights activists, including Loujain al-Hathloul, were subjected to torture including electrocution, beatings, whipping, and sexual assault.

On February 4, a panel of British parliamentarians issued a report accusing the government of subjecting detained women’s rights activists to torture and warning that the detainees might suffer serious long-term health problems if they did not receive urgent medical care. Authorities did not respond to a request by the
panel in January for access to the country and to the detained women’s rights advocates. On February 14, the European Parliament adopted a resolution condemning the detention and torture of some women’s right-to-drive activists detained since May 2018.

In March the lawyer for the family of dual U.S.-Saudi citizen Walid Fitaihi, who was reportedly detained as part of a 2017 anticorruption campaign, told reporters that Fitaihi had been subjected to routine abuse during his detention, including beatings and electrical shocks. Fitaihi was released on bond in late July but continued to face charges. Fitaihi and his dual U.S.-Saudi citizen family members in Saudi Arabia were also under an international travel ban.

Former detainees in facilities run by the Mabahith alleged that abuse included beatings, sleep deprivation, and long periods of solitary confinement for nonviolent detainees.

Officials from the Ministry of Interior, Public Prosecutor’s Office (PPO), and the governmental Human Rights Commission (HRC), which is responsible for coordinating with other government entities to investigate and respond to alleged human rights violations (see section 5) claimed that rules prohibiting torture prevented such practices from occurring in the penal system. The Ministry of Interior stated it installed surveillance cameras to record interrogations of suspects in some criminal investigation offices, police stations, and prisons where such interrogations regularly occurred, such as the Mabahith prison facilities. There were reports that defendants who requested copies of video footage from the ministry’s surveillance system to provide as evidence of torture did not receive it.

Courts continued to sentence individuals to corporal punishment, usually in the form of floggings, whippings, or lashings, a common punishment that government officials defended as punishment dictated by sharia. According to human rights activists, police conducted the floggings according to a set of guidelines determined by local interpretation of sharia. The police official administering the punishment must place a copy of the Quran under his arm that prevents raising the hand above the head, limiting the ability to inflict pain or injury on the person subjected to the punishment, and instructions forbid police from breaking the skin or causing scarring when administering the lashes. Human rights organizations disputed that officials implemented floggings according to these guidelines for all prisoners and characterized flogging as a form of cruel and unusual punishment.
There were no reported cases of judicially administered amputation during the year.

**Prison and Detention Center Conditions**

Prison and detention center conditions varied, and some did not meet international standards; reported problems included overcrowding and inadequate conditions.

**Physical Conditions:** On March 31, *The Guardian* newspaper reported that “leaked medical reports” prepared for King Salman showed that political prisoners suffered from “malnutrition, cuts, bruises, and burns” as well as severe dehydration and denial of medical care.

Juveniles constituted less than 1 percent of detainees and were held in separate facilities from adults, according to available information.

Authorities held pretrial detainees together with convicted prisoners. They separated persons suspected or convicted of terrorism offenses from the general population but held them in similar facilities. Activists alleged that authorities sometimes detained individuals in the same cells as individuals with mental disabilities as a form of punishment and indicated that authorities mistreated persons with disabilities.

Authorities differentiated between violent and nonviolent prisoners, sometimes pardoning nonviolent prisoners to reduce the prison population. Certain prisoners convicted on terrorism-related charges were required to participate in government-sponsored rehabilitation programs before consideration of their release.

**Administration:** There were multiple legal authorities for prisons and detention centers. The General Directorate of Prisons administered approximately 91 detention centers, prisons, and jails, while the Mabahith administered approximately 20 regional prisons and detention centers for security prisoners.

The law of criminal procedure gives the PPO the authority to conduct official visits of prisons and detention facilities “within their jurisdictional areas to ensure that no person is unlawfully imprisoned or detained.” No ombudsmen were available to register or investigate complaints made by prisoners, although prisoners could and did submit complaints to the HRC and the quasi-governmental National Society for Human Rights (NSHR) for follow up.

The law of criminal procedure provides that “any prisoner or detainee shall have the right to submit, at any time, a written or verbal complaint to the prison or detention center officer and request that he...”
communicate it to a member of the [former] Bureau of Investigations and Public Prosecution [renamed the PPO].” Under the law there is no right to submit complaints directly to judicial authorities or to challenge the legality of an individual’s detention before a court of law (habeas corpus). There was no information available on whether prisoners were able to submit complaints to prison or prosecutorial authorities without censorship or whether authorities responded or acted upon complaints.

Recordkeeping on prisoners was inadequate; there were reports authorities held prisoners after they had completed their sentences.

A Ministry of Interior-run website (Nafetha) provided detainees and their relatives access to a database containing information about the legal status of the detainee, including any scheduled trial dates. Activists said the website did not provide information about all detainees.

Authorities generally permitted relatives and friends to visit prisoners twice a week, although certain prisons limited visitation to once or twice a month. There were reports that prison, security, or law enforcement officials denied this privilege in some instances, often during investigations. The families of detainees could access the Nafetha website for applications for prison visits, temporary leave from prison (generally approved around post-Ramadan Eid holidays), and release on bail (for pretrial detainees). Some family members of detained persons under investigation said family visits were typically not allowed, while others said allowed visits or calls were extremely brief (less than five minutes). Some family members of prisoners complained authorities canceled scheduled visits with relatives without reason.

Authorities generally permitted Muslim detainees and prisoners to perform religious observances such as prayers.

**Independent Monitoring:** Independent institutions were not permitted to conduct regular, unannounced visits to places of detention, according to the UN Committee against Torture. During the year the government permitted some foreign diplomats restricted access to some prison facilities in nonconsular cases. In a limited number of cases, foreign diplomats visited individuals in detention, but the visits took place in a separate visitors’ center where conditions may have differed from those in the detention facilities holding the prisoners.
The government permitted the HRC and domestic quasi-governmental organizations, such as the NSHR, to monitor prison conditions. The organizations stated they visited prisons throughout the country and reported on prison conditions. On January 27, local media reported the HRC conducted 394 prison visits between September 2017 and September 2018, including visits to Mabahith prisons, criminal investigation prisons, and some military prisons as well as “social surveillance centers” and girls’ welfare institutions. The NSHR reportedly monitored health care in prisons and brought deficiencies to the attention of the PPO.

**d. Arbitrary Arrest or Detention**

The law provides that no entity may restrict a person’s actions or imprison a person, except under the provisions of the law. The law of criminal procedure provides that authorities may not detain a person for more than 24 hours, but the Ministry of Interior and the SSP, to which the majority of forces with arrest powers reported, maintained broad authority to arrest and detain persons indefinitely without judicial oversight, notification of charges, or effective access to legal counsel or family.

**Arrest Procedures and Treatment of Detainees**

In 2017 King Salman issued a decree that created the PPO, (formerly the Bureau of Investigations and Public Prosecution or BIPP), establishing Saud bin Abdullah bin Mubarak al-Mujab as attorney general. The decree directed the PPO to report directly to the king (rather than the Ministry of Interior, to which the BIPP had reported). Human rights organizations criticized the move as a consolidation of power in the Royal Court that undermined the independence of the judiciary.

According to the law of criminal procedure, “no person shall be arrested, searched, detained, or imprisoned except in cases provided by law, and any accused person shall have the right to seek the assistance of a lawyer or a representative to defend him during the investigation and trial stages.” By law authorities may summon any person for investigation and may issue an arrest warrant based on evidence. In practice authorities frequently did not use warrants, and warrants were not required under the law in all cases.

The law requires authorities to file charges within 72 hours of arrest and hold a trial within six months, subject to exceptions specified by amendments to the law of criminal procedure and the counterterrorism law (see section 2.a.). Authorities
may not legally detain a person under arrest for more than 24 hours, except pursuant to a written order from a public investigator. Authorities reportedly often failed to observe these legal protections, and there was no requirement to advise suspects of their rights.

The law of criminal procedure specifies procedures required for extending the detention period of an accused person beyond the initial five days. Authorities may approve detentions in excess of six months in “exceptional circumstances,” effectively allowing individuals to be held in pretrial detention indefinitely in cases involving terrorism or “violations of state security.” There is a functioning bail system for less serious criminal charges. The PPO may order the detention of any person accused of a crime under the counterterrorism law for up to 30 days, renewable up to 12 months, and in state security cases up to 24 months with a judge’s approval.

By law defendants accused of any crime cited in the law are entitled to hire a lawyer to defend themselves before the court “within an adequate period of time to be decided by the investigatory body.” In cases involving terrorism or state security charges, detainees generally did not have the right to obtain a lawyer of their choice. The government provided lawyers to defendants who made a formal application to the Ministry of Justice to receive a court-appointed lawyer and proved their inability to pay for their legal representation.

There were reports that authorities did not always allow legal counsel access to detainees who were under investigation in pretrial detention. Authorities indicated that a suspect could be held up to 12 months in investigative detention without access to legal counsel if authorized by prosecutors. Judicial proceedings begin after authorities complete a full investigation, which in some cases took years.

The king continued the tradition of commuting some judicial punishments.Royal pardons sometimes set aside a conviction and sometimes reduced or eliminated corporal punishment. The remaining sentence could be added to a new sentence if the pardoned prisoner committed a crime subsequent to release.

Authorities commuted the sentences of some who had received prison terms. The counterterrorism law allows the PPO to stop proceedings against an individual who cooperates with investigations or helps thwart a planned terrorist attack. The law authorizes the SSP to release individuals already convicted in such cases.
Arbitrary Arrest: Local human rights activists and diplomatic representatives reportedly received regular reports from families claiming authorities held their relatives arbitrarily or without notification of charges. During the year authorities detained without charge security suspects, persons who publicly criticized the government, Shia religious leaders, individuals with links to women’s rights activists, and persons accused of violating religious standards.

On March 6, UN high commissioner for human rights Bachelet expressed concern “at the apparently arbitrary arrest and detention and alleged ill-treatment and torture of several women human rights defenders.”

On March 7, 36 countries issued a joint statement at the UN Human Rights Council expressing “significant concerns about reports of continuing arrests and arbitrary detention of human rights defenders in the Kingdom of Saudi Arabia.” The group expressed particular concern “about the use of the counterterrorism law and other national security provisions against individuals peacefully exercising their rights and freedoms.”

In April activists reported that authorities released poet Nawaf al-Rasheed, a Saudi citizen with dual Qatari nationality, after 10 months in detention for unspecified reasons. Kuwaiti authorities deported al-Rasheed to Saudi Arabia in May 2018 at the Saudi government’s request.

Pretrial Detention: The United Nations and international human rights organizations reported detention cases that exceeded the maximum period allowed under the law. In a May 2018 statement, HRW noted that authorities had detained thousands of persons for more than six months--in some cases for more than a decade--without referring them to courts for criminal proceedings, and that the number held for excessively long periods had apparently increased dramatically in recent years. During the year HRW reported the government continued this practice of long-term arbitrary detention.

On January 30, the Royal Court announced the end of the anticorruption campaign launched in 2017 (see section 4). On February 18, HRW called on authorities “to immediately clarify whether those who remained in detention face charges in connection with the anticorruption campaign or for other recognizable criminal activity, and if not, the authorities should release them immediately…holding detainees without charge or trial for 16 months only reinforces the reality that the Saudi corruption campaign has taken place completely outside the rule of law.”
Incommunicado detention was also a problem. Authorities reportedly did not always respect a detainees’ right to contact family members following detention, and the counterterrorism law allows the investigatory body to hold a defendant for up to 90 days in detention without access to family members or legal counsel (and the SCC may extend such restrictions beyond this period). Security and some other types of prisoners sometimes remained in prolonged solitary detention before family members or associates received information of their whereabouts, particularly for detainees in Mabahith-run facilities.

On January 25, Amnesty International reported that at least 10 women activists arrested in May 2018 were held incommunicado in a secret prison, where they were allegedly subjected to severe torture. On March 14, then HRC president Bandar al-Aiban asserted that there were no secret prisons and detention centers and that secret detention was prohibited.

**Detainee’s Ability to Challenge Lawfulness of Detention before a Court:** Under the law detainees are not entitled to challenge the lawfulness of their detention before a court. In the case of wrongful detention, the law of criminal procedure, as well as provisions of the counterterrorism law, provide for the right to compensation if detainees are found to have been held unlawfully.

**e. Denial of Fair Public Trial**

The law provides that judges are independent and not subject to any authority other than the provisions of sharia and the laws in force. Nevertheless, the judiciary, PPO, and SSP were not independent entities, as they were required to coordinate their decisions with executive authorities, with the king and crown prince as arbiters. Although public allegations of interference with judicial independence were rare, the judiciary reportedly was subject to influence, particularly in the case of legal decisions rendered by specialized judicial bodies, such as the SCC, which rarely acquitted suspects. Human rights activists reported that SCC judges received implicit instructions to issue harsh sentences against human rights activists, reformers, journalists, and dissidents not engaged in violent activities. Activists also reported that judicial and prosecutorial authorities ignored due process-related complaints, including lack of access by lawyers to their clients at critical stages of the judicial process, particularly during the pretrial/investigation phase.

**Trial Procedures**
In the judicial system, there traditionally was no published case law on criminal matters, no uniform criminal code, no presumption of innocence, and no doctrine of stare decisis that binds judges to follow legal precedent. The Justice Ministry continued to expand a project started in 2007 to distribute model judicial decisions to ensure more uniformity of legal application, and as recently as August the ministry published judicial decisions on its website. The law states that defendants should be treated equally in accordance with sharia. The Council of Senior Scholars, or the ulema, an autonomous advisory body, issues religious opinions (fatwas) that guide how judges interpret sharia.

In the absence of a formalized penal code that details all criminal offenses and punishments, judges in the courts determine many of these penalties through their interpretations of sharia, which varied according to the judge and the circumstances of the case. Because judges have considerable discretion in decision making, rulings and sentences diverged widely from case to case.

Several laws, however, provide sentencing requirements for crimes including terrorism, cybercrimes, trafficking in persons, and domestic abuse. In 2016 the Ministry of Justice issued a compilation of previous decisions that judges could refer to as a point of reference in making rulings and assigning sentences.

Appeals courts cannot independently reverse lower court judgments; they are limited to affirming judgments or returning them to a lower court for modification. Even when judges did not affirm judgments, appeals judges in some cases remanded the judgment to the judge who originally authored the opinion. This procedure sometimes made it difficult for parties to receive a ruling that differed from the original judgment in cases where judges hesitated to admit error. While judges may base their decisions on any of the four Sunni schools of jurisprudence, all of which are represented in the Council of Senior Scholars, the Hanbali school predominates and forms the basis for the country’s law and legal interpretations of sharia. Shia citizens use their legal traditions to adjudicate family law cases between Shia parties, although either party can decide to adjudicate a case in state courts, which apply Sunni legal traditions.

While the law states that court hearings shall be public, courts may be closed at the judge’s discretion. As a result, many trials during the year were closed. Since October 2018 the Ministry of Foreign Affairs barred foreign diplomatic missions from attending court proceedings at the SCC as well as trials related to security and human rights issues. Diplomatic personnel were generally allowed to attend consular proceedings of their own citizens. Some family members of prisoners
complained that neither they nor legal representatives were permitted access to trials or notified about the status of trial proceedings. SCC officials sometimes banned female relatives from attending due to the absence of women officers to conduct security inspections of the women upon entry to the courtroom. According to the Ministry of Justice, authorities may close a trial depending on the sensitivity of the case to national security, the reputation of the defendant, or the safety of witnesses. Representatives of the HRC sometimes attended trials at the SCC.

According to the law, authorities must offer defendants a lawyer at government expense. In 2017 the Ministry of Justice stated that defendants “enjoy all judicial guarantees they are entitled to, including the right to seek the assistance of lawyers of their choosing to defend them, while the ministry pays the lawyer’s fees when the accused is not able to settle them.” Activists, however, reported the process for applying for a court-appointed lawyer was difficult and cumbersome. Many said detained activists were not able or allowed to retain an attorney or consult with their attorneys during critical stages of the investigatory and trial proceedings. Detained human rights activists often did not trust the courts to appoint lawyers for them due to concerns of lawyer bias.

The law provides defendants the right to be present at trial and to consult with an attorney during the trial. The counterterrorism law, however, authorizes the attorney general to limit the right of defendants accused of terrorism to access legal representation while under investigation “whenever the interests of the investigation so require.” There is no right to discovery, nor can defendants view their own file or the minutes from their interrogation. Defendants have the right to call and cross-examine witnesses under the law. Activists reported, however, that SCC judges could decide to restrict this right in “the interests of the case.” The law provides that a PPO-appointed investigator question the witnesses called by the defendant during the investigation phase before the initiation of a trial. The investigator may also hear testimony of additional witnesses he deems necessary to determine the facts. Authorities may not subject a defendant to any coercive measures or compel the taking of an oath. The court must inform convicted persons of their right to appeal rulings.

The law does not provide for a right against self-incrimination.

The law does not provide free interpretation services, although services were often provided in practice. The law of criminal procedure provides that “the court should seek the assistance of interpreters,” but it does not obligate the court to do
so from the moment the defendant is charged, nor does the law specify that the state will bear the costs of such services.

While sharia as interpreted by the government applies to all citizens and noncitizens, the law in practice discriminates against women, noncitizens, nonpracticing Sunni Muslims, Shia Muslims, and persons of other religions. In some cases the testimony of a woman equals half that of a man. Judges have discretion to discount the testimony of nonpracticing Sunni Muslims, Shia Muslims, or persons of other religions; sources reported judges sometimes completely disregarded or refused to hear testimony by Shia Muslims.

**Political Prisoners and Detainees**

The government maintained there were no political prisoners, including detainees who reportedly remained in prolonged detention without charge, while local activists and human rights organizations claimed there were “hundreds” or “thousands.” Credible reporting by advocacy groups and press suggested authorities detained persons for peaceful activism or political opposition, including nonviolent religious figures, imams deemed to have strayed from the official religious line, Shia activists, women’s rights defenders, other activists, and those who the government claimed posted offensive or antigovernment comments on social media sites.

In many cases it was impossible to determine the legal basis for incarceration and whether the detention complied with international norms and standards. Those who remained imprisoned after trial, including persons who were political activists openly critical of the government, were often convicted of terrorism-related crimes. During the year the SCC tried political and human rights activists for nonviolent actions unrelated to terrorism, violence, or espionage against the state. Authorities restricted attorneys’ access to detainees on trial at the SCC.

International NGOs, the United Nations, and others criticized the government for abusing its antiterrorism legal authorities to detain or arrest some dissidents or critics of the government or royal family on security-related grounds, who had not espoused or committed violence. On February 14, the European Parliament called on the government to immediately and unconditionally release “women’s rights defenders and all human rights defenders, lawyers, journalists and other prisoners of conscience detained and sentenced merely for exercising their right to freedom of expression and for their peaceful human rights work.”
On September 23, nearly two dozen countries delivered a joint statement at the UN Human Rights Council criticizing the government for its treatment of dissidents, journalists, and women activists and stating they were “concerned at reports of torture, arbitrary detention, enforced disappearances, unfair trials, and harassment of individuals engaged in promoting and defending human rights.”

At least 120 persons remained in detention for activism, criticism of government leaders, impugning Islam or religious leaders, or “offensive” internet postings, including prominent activists such as Raif Badawi, Mohammed al-Qahtani, and Nassima al-Sadah; clerics including former Grand Mosque Imam Salih al-Talib; and Sahwa movement figures Safar al-Hawali, Nasser al-Omar, and others. Prominent Muslim scholars Salman al-Odah, Awad al-Qarni, and Ali al-Omari also remained in detention for associations and views deemed to be supportive of groups the government declared illegal or extremist (including the Muslim Brotherhood).

On March 13, the Riyadh Criminal Court opened trials against 11 women activists, including several arrested in mid-2018. The activists, including Loujain al-Hathloul, Eman al-Nafjan, Aziza al-Yousef, and Hatoon al-Fassi, faced charges related to their human rights work and contact with international organizations, foreign media, and other activists. The women were accused of violating Article Six of the cybercrimes law, which prohibits production of materials that harm public order, religious values, public morals or storing that material via an information network. Violation of Article Six carries penalties of up to five years in prison and a fine of up to three million riyals ($800,000). Between March and September, authorities provisionally released eight of them, including al-Nafjan, al-Yousef, and al-Fassi. They continued to face criminal charges.

In April Amnesty International reported that authorities arrested at least seven individuals--including journalists, writers, and academics--some of whom had expressed their support for prominent activists who were arrested in 2018 for their advocacy for the right of women to drive. Some had already been under a travel ban since February, according to Amnesty International and ALQST.

On June 27, women’s rights activist Samar Badawi appeared at the SCC for the first time since her arrest in July 2018.

Civil Judicial Procedures and Remedies
Complainants claiming human rights violations generally sought assistance from the HRC or the NSHR, which either advocated on their behalf or provided courts with opinions on their cases. The HRC generally responded to complaints and could refer cases to the PPO; domestic violence cases were the most common. Individuals or organizations may petition directly for damages or government action to end human rights violations before the Board of Grievances, except in compensation cases related to state security, where the SCC handles remediation. The counterterrorism law contains a provision allowing detainees in Mabahith-run prisons to request financial compensation from the Ministry of Interior/SSP for wrongful detention beyond their prison terms. In some cases the government did not carry out judicially ordered compensation for unlawful detentions in a timely manner.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits unlawful intrusions into the privacy of persons, their homes, places of work, and vehicles. Criminal investigation officers are required to maintain records of all searches conducted; these records should contain the name of the officer conducting the search, the text of the search warrant (or an explanation of the urgency that necessitated the search without a warrant), and the names and signatures of the persons who were present at the time of search. While the law also provides for the privacy of all mail, telegrams, telephone conversations, and other means of communication, the government did not respect the privacy of correspondence or communications and used the considerable latitude provided by the law to monitor activities legally and intervene where it deemed necessary.

There were reports from human rights activists of governmental monitoring or blocking of mobile telephone or internet usage. The government strictly monitored politically related activities and took punitive actions, including arrest and detention, against persons engaged in certain political activities, such as calling for a constitutional monarchy, publicly criticizing senior members of the royal family by name, forming a political party, or organizing a demonstration (see section 2.a.). Customs officials reportedly routinely opened mail and shipments to search for contraband. In some areas Ministry of Interior/SSP informants allegedly reported “seditious ideas,” “antigovernment activity,” or “behavior contrary to Islam” in their neighborhoods.
Media outlets reported that authorities gained access to dissidents’ Twitter and social media accounts and in some cases questioned, detained, or prosecuted individuals for comments made online. The counterterrorism law allows the Ministry of Interior/SSP to access a terrorism suspect’s private communications as well as banking information in a manner inconsistent with the legal protections provided by the law of criminal procedure.

The Committee for the Promotion of Virtue and the Prevention of Vice (CPVPV) monitored and regulated public interaction between members of the opposite sex, although in practice CPVPV authorities were greatly curtailed compared with past years, and mixed-gender events became more common during the year.

g. Abuses in Internal Conflict

In 2015 Saudi officials announced the formation of a coalition to counter the 2014 attempted overthrow of the Yemeni government by militias of the Ansar Allah movement (also known colloquially as “Houthis”) and forces loyal to former Yemeni president Ali Abdullah Saleh. Membership in the coalition included the United Arab Emirates, Bahrain, Egypt, Jordan, Kuwait, Morocco, Somalia, Sudan, and Senegal. The Saudi-led coalition continued conducting air and ground operations in Yemen, actions initiated in 2015.

Killings: The United Nations, NGOs, media, and humanitarian and other international organizations reported what they characterized as disproportionate use of force by all parties to the conflict in Yemen, including the Saudi-led coalition, Houthi rebels, and other combatants. According to the Office of the UN High Commissioner for Human Rights (OHCHR), from March 2015 to June 2019 there were at least 18,922 civilian casualties, with 7,292 killed and 11,630 injured in the conflict, with a 12 percent increase in the civilian death toll from June 2018 to June 2019. Since the conflict began, more than 7,500 children had been killed or injured. UNICEF reported that since December 2018, an average of eight children per day were killed due to war-related violence. The UN Group of Eminent International and Regional Experts on Yemen assessed the actual death toll was likely higher than these estimates, in view of restrictions on UN researchers’ access.

Saudi-led coalition airstrikes reportedly resulted in civilian casualties and damage to infrastructure on multiple occasions. In March a Saudi airstrike hit close to a hospital 60 miles northwest of Saada. The NGO Save the Children, which
supported the hospital, reported that eight persons were killed, including five children, and several were unaccounted for following the strike.

The International Committee of the Red Cross reported that on September 1 an airstrike hit a building serving as a Houthi detention facility in Dhamar. The Red Cross estimated more than 100 prisoners were killed in the attack and that another 40 were wounded. The Saudi-led coalition acknowledged it struck the facility as part of an operation against arms depots in the area, noting that the Houthis had not declared it on the no-strike list.

The government established the JIAT in 2016 to identify lessons and corrective actions and to implement national accountability mechanisms, as appropriate. The Riyadh-based group consisted of military and civilian members from coalition member states who investigated allegations of civilian casualties as well as claims by international organizations that humanitarian aid convoys and infrastructure were targeted by the coalition. The JIAT announced the results of numerous investigations during the year, largely absolving the coalition of responsibility in civilian deaths in the incidents reviewed. The Saudi government did not prosecute any cases based on JIAT findings. The OHCHR and others asserted the JIAT’s investigations did not provide sufficient transparency on the targeting process for strikes. HRW stated the JIAT’s public conclusions raised serious questions regarding the ways in which the JIAT conducted investigations and applied international humanitarian law.

Other Conflict-related Abuse: Yemen’s Houthi militants conducted missile, rocket, drone, and artillery attacks into Saudi Arabia, including launching more than 110,000 projectiles into Saudi territory since the beginning of the conflict in 2015. In 2018-2019 authorities reported some of these projectiles had damaged airports, schools, homes, hospitals, mosques, and critical energy infrastructure. In May a drone attack claimed by the Houthis damaged the country’s East-West oil pipeline, the country’s main cross-country oil link. In August Houthi militants attacked with armed drones the Shaybah oil facility in the Eastern Province. In September state-owned Saudi Aramco oil processing facilities in Abqaiq and Khurais were attacked by drones and missiles, damaging and temporarily taking offline half of the country’s oil production capacity. Houthi militants in Yemen claimed responsibility, but the government concluded that Iran was responsible for the attacks. There were no reports of deaths or injuries from the attack.

Because of security concerns, authorities restricted categories of imports allowed to arrive at Yemeni ports. In order to facilitate commercial cargo flows into
Yemeni Red Sea Ports, coalition officers carried out an inspection and approval regime coordinated with the United Nations via the United Nations Verification and Inspection Mechanism for Yemen and the Defense Ministry-hosted Evacuation and Humanitarian Operations Committee. During some periods the committee barred fuel and some categories of materials, including those provided by humanitarian relief agencies, from entering the key Houthi-held Yemeni port of Hudaydah. Commercial imports into Yemen during the year remained well below pre-2015 figures. Sana’a International Airport remained closed throughout the year to commercial traffic.

For additional details, including additional information on the Saudi-led coalition’s operations in Yemen, see the Department of State’s *Country Reports on Human Rights for Yemen*.

**Section 2. Respect for Civil Liberties, Including:**

**a. Freedom of Expression, Including for the Press**

The law does not provide for freedom of expression, including for the press. The Basic Law specifies, “Mass media and all other vehicles of expression shall employ civil and polite language, contribute towards the education of the nation, and strengthen unity. The media are prohibited from committing acts that lead to disorder and division, affect the security of the state or its public relations, or undermine human dignity and rights.” Authorities are responsible for regulating and determining which speech or expression undermines internal security. The government can ban or suspend media outlets if it concludes they violated the press and publications law, and it monitored and blocked hundreds of thousands of internet sites. There were frequent reports of restrictions on free speech.

The counterterrorism law’s definition of terrorism includes “any conduct…intended to disturb public order…or destabilize the state or endanger its national unity.” The law also penalizes “anyone who challenges, either directly or indirectly, the religion or justice of the king or crown prince…or anyone who establishes or uses a website or computer program…to commit any of the offenses set out in the law.” Local human rights activists, international human rights organizations, and the UN special rapporteur on human rights and counterterrorism criticized the law for its overly broad and vague definitions of terrorism and complained the government used it to prosecute peaceful expression and dissent.
Freedom of Expression: The government monitored public expressions of opinion and took advantage of legal controls to impede the free expression of opinion and restrict individuals from engaging in public criticism of the political sphere. The law forbids apostasy and blasphemy, which can carry the death penalty, although there were no recent instances of death sentences being carried out for these crimes (see section 1.a.). Statements that authorities construed as constituting defamation of the king, monarchy, governing system, or Al Saud family resulted in criminal charges for citizens advocating government reform. The government prohibits public employees from directly or indirectly engaging in dialogue with local or foreign media or participating in any meetings intended to oppose state policies.

Some human rights activists were detained and then released on the condition that they refrain from using social media for activism, communicating with foreign diplomats and international human rights organizations, and traveling outside the country, according to human rights organizations.

The government detained a number of individuals for crimes related to their exercise of free speech during the year. From September to November, human rights groups and foreign media reported that authorities detained at least six persons, including an academic, poet, and tribal chief, for allegedly criticizing the General Entertainment Authority (GEA).

On October 10, Omar al-Muqbil, an academic at Qassim University, was allegedly arrested over a video criticizing the GEA’s recent policy of hosting concerts by international artists. In the video he accused the GEA of “erasing society’s original identity.” On October 21, poet Safar al-Dughilbi was summoned for questioning regarding a poem he wrote that referred to the “ill-practices” of the GEA. On October 22, the Prisoners of Conscience Twitter account announced a chief of the Otaiba tribe, Faisal Sultan Jahjah bin Humaid, was detained and questioned following a tweet criticizing the GEA and calling for “reasonable forms of entertainment.”

On November 12, the chairman of the GEA, Turki Al al-Sheikh, warned on Twitter the government would “take legal steps against anyone who criticizes or complains about the authority’s work.”

Between November 16 and November 20, authorities detained at least 11 persons, mostly journalists, writers, and entrepreneurs, according to the ALQST. A few days later, authorities released at least eight of those detained.
Press and Media, Including Online Media: The Press and Publications Law governs printed materials; printing presses; bookstores; the import, rental, and sale of films; television and radio; foreign media offices and their correspondents; and online newspapers and journals. Media fall under the jurisdiction of the Ministry of Media. The ministry may permanently close “whenever necessary” any means of communication--defined as any means of expressing a viewpoint that is meant for circulation--that it deems is engaged in a prohibited activity, as set forth in the law.

Media policy statements urged journalists to uphold Islam, oppose atheism, promote Arab interests, and preserve cultural heritage. In 2011 a royal decree amended the press law to strengthen penalties, create a special commission to judge violations, and require all online newspapers and bloggers to obtain a license from the ministry. The decree bans publishing anything “contradicting sharia, inciting disruption, serving foreign interests that contradict national interests, and damaging the reputation of the grand mufti, members of the Council of Senior Religious Scholars, or senior government officials.”

The law states that violators can face fines up to 50,000 riyals ($13,300) for each violation of the law, which doubles if the violation is repeated. Other penalties include banning individuals from writing. While the Violations Considerations Committee in the Ministry of Media has formal responsibility for implementing the law, the Ministry of Interior, the CPVPV, and judges considered these issues regularly and exercised wide discretion in interpreting the law. It was unclear which of these institutional processes accords with the law.

Although unlicensed satellite dishes were illegal, the government did not enforce restrictions on them, and their use was widespread. Many foreign satellite stations broadcast a wide range of programs into the country in Arabic and other languages, including foreign news channels. Access to foreign sources of information, including via satellite dishes and the internet, was common. Foreign media were subject to licensing requirements from the Ministry of Media and could not operate freely. Privately owned satellite television networks, headquartered outside the country, maintained local offices and operated under a system of self-censorship.

On March 3, local media reported that authorities temporarily suspended a talk show hosted by journalist and Saudi Broadcasting Corporation president Dawood al-Shirian after it showed episodes on the guardianship system, the shortage of driving schools for women, and Saudi women seeking asylum abroad. The show returned a week later on March 10, according to Okaz daily newspaper.
On June 11, local media reported the GEA banned Kuwaiti artist Mona Shadad from appearing on local radio and television channels after Shadad appeared in a video praising Qatar.

Violence and Harassment: Authorities subjected journalists, writers, and bloggers to arrest, imprisonment, and harassment during the year (see sections 1.c., Prison and Detention Center Conditions and 1.e., Political Prisoners and Detainees).

Throughout the year NGOs, academics, and the press reported on the government’s targeting of dissidents using automated social media accounts to ensure that pro-government messages dominated social media trend lists and effectively silenced dissenting voices. Automated account activity was reportedly accompanied by online harassment by pro-government accounts in some instances. Dissidents with large social media followings were targeted for offline harassment and surveillance as well.

Censorship or Content Restrictions: The government reportedly penalized those who published items counter to government guidelines and directly or indirectly censored the media by licensing domestic media and by controlling importation of foreign printed material.

All newspapers, blogs, and websites in the country must be government licensed. The Ministry of Media must approve the appointment of all senior editors and has authority to remove them. The government provided guidelines to newspapers regarding controversial issues. The Saudi Press Agency reported official government news. The government owned most print and broadcast media and book publication facilities in the country, and members of the royal family owned or influenced privately owned and nominally independent operations, including various media outlets and widely circulated pan-Arab newspapers published outside the country. Authorities prevented or delayed the distribution of foreign print media covering issues considered sensitive, effectively censoring these publications.

The government censored published material it considered blasphemous, extremist, racist, or offensive or as inciting chaos, violence, sectarianism, or harm to the public order. In 2017 the PPO stated that producing and promoting “rumors that affect the public order” was a crime under the cybercrimes law and punishable by up to five years in prison, a fine of three million Riyals ($800,000), or both. In June 2018 the PPO warned against sending, producing, or storing any material that stirs
up tribalism and fanaticism or harms public order, which is also punishable by the above penalties. On July 10, the Shura Council called on the General Commission for Audiovisual Media to intensify efforts to prevent the broadcast of content that contravenes the country’s laws, customs, traditions, and public decorum or harms the reputation of the kingdom and its people. According to the Saudi Press Agency, the council underlined the need to enhance control of the electronic games market through surveillance of stores, markets, and websites in accordance with local and international regulations.

In some cases, however, individuals criticized specific government bodies or actions publicly without repercussions. The Consultative Council (Majlis ash-Shura), an advisory body, frequently allowed print and broadcast media to observe its proceedings and meetings, but the council closed some high-profile or controversial sessions to the media.

Libel/Slander Laws: There were numerous reports during the year of the government using libel laws to suppress publication of material that criticized policies or public officials.

The cybercrimes law provides for a maximum penalty of one year’s imprisonment for “defamation and infliction of damage upon others through the use of various information technology devices,” including social media and social networks.

National Security: Authorities used the cybercrimes law and the counterterrorism law to restrict freedom of expression, including by prosecuting numerous individuals under these laws on charges related to statements made on social media.

Internet Freedom

The Ministry of Media or its agencies must authorize all websites registered and hosted in the country. The General Commission for Audiovisual Media has responsibility for regulating all audio and video content in the country, including satellite channels, film, music, internet, and mobile applications, independent from the Ministry of Commerce and Industry. Internet access was widely available.

The press and publications law implicitly covers electronic media, since it extends to any means of expression of a viewpoint meant for circulation, ranging from words to cartoons, photographs, and sounds. In 2011 the government issued implementing regulations for electronic publishing that set rules for internet-based
and other electronic media, including chat rooms, personal blogs, and text messages. In May 2018 then information minister Awwad bin Saleh al-Awwad approved the executive regulations for types and forms of electronic publishing activities. The list consists of 17 items defining the mechanisms of dealing with electronic publishing activities, classifications, and ways of obtaining the appropriate regulatory licenses to carry out the required activities. Laws, including the cybercrimes law, criminalize a number of internet-related activities, including defamation, hacking, unauthorized access to government websites, and stealing information related to national security as well as the creation or dissemination of a website for a terrorist organization. Security authorities actively monitored internet activity, both to enforce laws, regulations, and societal norms and to monitor recruitment efforts by extremist organizations such as ISIS.

The government reportedly collected information concerning the identity of persons peacefully expressing political, religious, or ideological opinions or beliefs online. According to Freedom House, authorities regularly monitored nonviolent political, social, and religious activists and journalists in the name of national security and maintaining social order. The NGO Citizen Lab reported that NSO Group, an Israeli cybersecurity firm, provided spyware to the government to monitor activists’ communications on web-based applications.

Access to the internet is legally available only through government-authorized internet service providers. The government required internet service providers to monitor customers and required internet cafes to install hidden cameras and provide identity records of customers. Although authorities blocked websites offering proxies, persistent internet users accessed the unfiltered internet via other means.

On a number of occasions, government officials and senior clerics publicly warned against inaccurate reports on the internet and reminded the public that criticism of the government and its officials should be done through available private channels. The government charged those using the internet to express dissent against officials or religious authorities with terrorism, blasphemy, and apostasy.

The press and publications law criminalizes the publication or downloading of offensive sites, and authorities routinely blocked sites containing material perceived as harmful, illegal, offensive, or anti-Islamic. The governmental Communications and Information Technology Commission (CITC) filtered and blocked access to websites it deemed offensive, including adult content, as well as
pages calling for domestic political, social, or economic reforms or supporting human rights, including websites of expatriate Saudi dissidents.

The CITC coordinated decisions with the Saudi Arabian Monetary Agency on blocking phishing sites seeking to obtain confidential personal or financial information. Authorities submitted all other requests to block sites to an interagency committee, chaired by the Ministry of Interior, for decision. Under the Telecommunication Act, failure by service providers to block banned sites can result in a fine of five million riyals ($1.33 million).

In 2016 the CITC announced it was no longer blocking any free voice, video, or messaging services after criticisms on social media that these services had been blocked. In 2017 the CITC announced the unblocking of calling features for private messenger apps that met regulatory requirements in the country, such as Facebook Messenger, FaceTime, Snapchat, Skype, Line, Telegram, and Tango. On March 12, WhatsApp users reported the unblocking of its calling feature, but the service was reblocked hours later. Other video-calling apps, including Viber, reported services were still blocked.

The government has blocked Qatari websites such as Al-Jazeera since 2017, due to a dispute between Qatar and a group of countries that included Saudi Arabia.

In 2017 a government official stated that writing for blocked websites, providing them with materials to publish, or promoting alternative addresses to access them is a crime under the cybercrimes law.

**Academic Freedom and Cultural Events**

The government restricted some public artistic expression but opened up cultural expression in a number of areas. Academics reportedly practiced self-censorship, and authorities prohibited professors and administrators at public universities from hosting meetings at their universities with foreign academics or diplomats without prior government permission (see section 2.b., Freedom of Association).

During the year there was an increase in the number of concerts, sports competitions, and cultural performances available to the public. In 2016 King Salman issued royal decrees creating the GEA and the General Authority for Culture with a mandate to expand the country’s entertainment and cultural offerings in line with its social and economic reform plan, known as Vision 2030. During the year the GEA sponsored events dedicated to film, comics, music, and
dance. In June 2018 King Salman issued a royal order creating the Ministry of Culture, separating it from the Information Ministry and appointed Prince Badr bin Abdullah bin Mohammed bin Farhan Al Saud as its minister. The country’s first cinema in more than 35 years opened in April 2018, and additional cinemas opened across the country during the year.

b. Freedoms of Peaceful Assembly and Association

The law does not provide for freedom of assembly and association, which the government severely limited.

Freedom of Peaceful Assembly

The law requires a government permit for an organized public assembly of any type. The government categorically forbids participation in political protests or unauthorized public assemblies, and security forces reportedly arrested demonstrators and detained them for brief periods. Security forces at times allowed a small number of unauthorized demonstrations throughout the country.

Freedom of Association

The law provided for limited freedom of association; however, the government strictly limited this right. The law provides a comprehensive legal framework to govern the establishment, operation, and supervision of associations and foundations. The government, however, prohibited the establishment of political parties or any group it considered as opposing or challenging the regime. All associations must be licensed by the Ministry of Labor and Social Development and comply with its regulations. Some groups that advocated changing elements of the social or political order reported their licensing requests went unanswered for years, despite repeated inquiries. The ministry reportedly used arbitrary means, such as requiring unreasonable types and quantities of information, to delay and effectively deny licenses to associations.

On August 20, local media reported the issuance of new government regulations that obligate members of the Shura Council and university professors to disclose membership in foreign institutions and associations. These individuals must obtain approval from the relevant authorities before joining any foreign organization.

In 2013 and 2014, the few local NGOs that had operated without a license ceased operating after authorities ordered them disbanded. In the years since banning the
Saudi Civil and Political Rights Association (ACPRA) in 2013, the government pursued criminal charges against ACPRA affiliates. In February 2018 the SCC sentenced lawyer and ACPRA-member Issa al-Nukheifi to six years in prison, based on charges of “infringing on the public order and religious values,” “opposing Saudi Arabia’s intervention in Yemen,” and related charges. *Prisoners of Conscience* reported in August that al-Nukheifi was facing additional charges and a new trial.

Government-chartered associations limited membership only to citizens.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at [https://www.state.gov/religiousfreedomreport/](https://www.state.gov/religiousfreedomreport/).

d. Freedom of Movement

The law does not contain provisions for freedom of internal movement, foreign travel, emigration, and repatriation.

**In-country Movement:** The government generally did not restrict the free movement of male citizens within the country. The guardianship system does not require a woman to have the permission of her male guardian (normally a father, husband, son, brother, grandfather, uncle, or other male relative) to move freely within the country (see section 6, Women). Courts, however, sometimes ruled that women should abide by a male guardian’s request to stay at home by “occasionally upholding a guardian’s right to obedience from his female dependents,” according to an HRW report.

Authorities respected the right of citizens to change residence or workplace, provided they held a national identification card (NIC). The law requires all male citizens who are 15 or older to possess a NIC. In 2012 the Ministry of Interior announced it would start issuing NICs to all female citizens at the age of 15, phasing in the requirement over a seven-year period. There was minimal information available regarding whether this initiative was successfully implemented.

In June 2018 the country lifted its longstanding ban on women driving. The process of issuing licenses, however, was slowed by the small number of training schools available to women, which resulted in waiting lists for driving classes,
since a driving school certificate is a requirement to obtain a license. Another obstacle was the high cost of driver’s education for women, which international media reported was four to five times as expensive as men’s fees, reportedly because women’s schools had better technology and facilities.

**Foreign Travel:** There are restrictions on foreign travel. Many foreign workers require an exit visa and a valid passport to depart the country. Saudi citizens of both genders younger than 21, other dependents, or foreign citizen workers under sponsorship require a guardian’s consent to travel abroad. On June 20, Okaz reported that married Saudi men younger than 21 no longer require guardian consent to travel abroad. According to Ministry of Interior regulations, a noncitizen wife needs permission from her husband to travel, unless both partners sign a prenuptial agreement permitting the noncitizen wife to travel without the husband’s permission. Government entities can ban the travel of citizens and noncitizens without trial, and male family members can “blacklist” women and minor children by reporting them as “disobedient,” prohibiting their travel.

On August 1, the government published Royal Decree 134/M, which stipulates that citizens of either gender older than 21 can obtain and renew a passport and travel abroad without guardian permission. The travel regulations entered into effect on August 20. On October 14, local media reported that as many as 14,000 adult women had obtained their passports since August without seeking the consent of their legal guardian.

Employers or sponsors controlled the departure of foreign workers and residents from the country; employers or sponsors were responsible for processing residence permits and exit visas on their behalf. Sponsors frequently held their employees’ passports against the desires of the employees, despite a law specifically prohibiting this practice. Foreign workers typically provided sponsors with their residence permit before traveling in exchange for their passport to ensure the worker’s return to their employer after their travel.

The government reportedly confiscated passports for political reasons and revoked the rights of some citizens to travel, often without providing them notification or opportunity to contest the restriction. Most travel bans reportedly involved individuals in court cases relating to corruption, state security concerns, or labor, financial, and real estate disputes. Many relatives of citizens detained in relation to the government’s anticorruption campaign as well as relatives of detained clerics and human rights activists were also reportedly under travel bans.
The government seized the U.S. passports of the wife and children of dual U.S.-Saudi citizen Walid Fitaihi, barring them from leaving the kingdom and freezing their assets following Fitaihi’s detention in 2017. While the international travel ban for family members had been lifted at times during Fitaihi’s detention, it was reinstated following Fitaihi’s release on bond and subsequent charging in July.

**e. Internally Displaced Persons**

Not applicable.

**f. Protection of Refugees**

**Access to Asylum:** The law provides that the “state will grant political asylum if public interest so dictates.” There are no regulations implementing this provision. Generally, there is not a codified asylum system for those fleeing persecution, and the country is not a party to the 1951 Refugee Convention. The government permitted refugees recognized by the Office of the UN High Commissioner for Refugees (UNHCR) to stay in the country temporarily, pending identification of a durable solution, including third-country resettlement or voluntary repatriation. The government generally did not grant asylum or accept refugees for resettlement from third countries. Government policy is to refuse refugee status to persons in the country illegally, including those who have overstayed a pilgrimage visa. The government strongly encouraged persons without residency to leave, and it threatened or imposed deportation. Access to naturalization was difficult for refugees.

The government granted six-month visas to Syrian and Yemeni citizens, and a royal decree allowed pro forma extensions of these visas. On January 8 and July 11, the General Directorate of Passports announced renewal of visitor identification cards for Yemeni citizens in accordance with royal directives. The International Organization for Migration (IOM) reported, however, that during the year more than 30,000 Yemenis were deported due to their immigration status (see section 7.e., Acceptable Conditions of Work). In April 2018 then foreign minister Adel al-Jubeir stated that, since the start of the Syrian conflict, the country had taken in approximately two and one-half million Syrians and treated them as its own citizens, providing them with free health care, work, and education. He added that the country’s universities and schools had more than 140,000 Syrian students.

The IOM reported that as of August an estimated 300,000 Ethiopians had returned to Ethiopia since the government launched a campaign titled “A Nation without
Violations” in 2017. HRW reported that a number of these migrants came to Saudi Arabia after experiencing persecution by the Ethiopian government and that deportations may have returned individuals to potentially harmful circumstances. HRW also noted migrants had faced abusive prison conditions in Saudi Arabia.

The government did not recognize the right of Saudi citizens to petition for access to asylum or refugee status in foreign countries. In several cases the government prosecuted and penalized Saudi citizens who sought asylum in foreign countries, according to multiple sources (see section 2.b., Freedom of Association). In January an 18-year-old Saudi citizen, citing fear for her life, was granted refugee status in Canada after fleeing from her family to Bangkok. Rahaf Mohammed claimed the Saudi embassy in Bangkok tried to force her to return to Saudi Arabia.

**Employment:** Refugees and asylum seekers were generally unable to work legally, although Syrian and Yemeni citizens who possessed a temporary visa could obtain a visitor card from the Ministry of Interior, which reportedly allows these persons to work. The renewable permits are valid for up to six months and tied to the validity period of their temporary visas; men between the ages of 18 and 60 were eligible to apply. In 2017 the General Directorate of Passports allowed Yemeni men to convert their visitor identification card to a residency permit if their Yemeni passport and visitor identification card were valid.

**Access to Basic Services:** The government provides preferential access to education, health care, public housing, and other social services to citizens and certain legal residents. A royal decree issued in 2012 permitted all Syrians in Saudi Arabia free access to the educational system and a separate decree issued in 2015 gave Yemenis in Saudi Arabia free access to schools. The Ministry of Education modified these decisions in February 2018, announcing that Syrian and Yemeni students holding visitor identification cards were no longer allowed to enroll in public schools and universities and would have to enroll in private ones at their own expense. The UNHCR office in Riyadh provided a subsistence allowance covering basic services to a limited number of vulnerable families, based on a needs assessment. Authorities worked with UNHCR to provide medical treatment, also following a needs assessment.

**g. Stateless Persons**

The country had a number of habitual residents who were legally stateless, but data on the stateless population were incomplete and scarce.
Citizenship is legally derived only from the father. Children born to an unmarried citizen mother who is not legally affiliated with the citizen father may be considered stateless, even if the father recognized the child as his, or if the government did not authorize the marriage of a citizen father and a noncitizen mother prior to birth of the children. The nationality laws do not allow Saudi women married to foreign citizens to pass their nationality to their children, except in certain circumstances, such as fathers who are unknown, stateless, of unknown nationality, or do not establish filiation. Sons of citizen mothers and noncitizen fathers may apply for citizenship once they turn 18 (if not already granted citizenship at birth under certain circumstances); daughters in such cases can obtain citizenship only through marriage to a Saudi man. A child may lose legal identification and accompanying rights if authorities withdraw identification documents from a parent (possible when a naturalized parent denaturalizes voluntarily or loses citizenship through other acts). Since there is no codified personal status law, judges make decisions regarding family matters based on their own interpretations of Islamic law.

Foreign male spouses of female citizens can obtain permanent residency in the country without needing a sponsor, and they can receive free government education and medical benefits, although in general they cannot apply for citizenship on the basis of their marriage and residence. These spouses are also included in the quota of Saudis employed in private companies under the labor quota system, which improves their employment prospects. Female citizens must be between the ages of 30 and 50 in order to marry a non-Saudi man. Non-Saudi wives of Saudi men receive more rights if they have children resulting from their marriage with a Saudi man. Male citizens must be between the ages of 40 and 65 in order to marry a non-Saudi woman. The extent to which those strictures were enforced was unclear; there was anecdotal evidence that they were not uniformly enforced. Children of Saudi women who are married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother.

In past years UNHCR unofficially estimated there were 70,000 stateless persons in the country, almost all of whom were native-born residents known locally as Bidoon (an Arabic word that means “without” [citizenship]). Updated information on stateless persons was not available. Bidoon are persons whose ancestors failed to obtain nationality, such as descendants of nomadic tribes not counted among the native tribes during the reign of the country’s founder, King Abdulaziz; descendants of foreign-born fathers who arrived before there were laws regulating citizenship; and rural migrants whose parents failed to register their births. As
noncitizens, Bidoon are unable to obtain passports. The government sometimes denied them employment and educational opportunities, and their marginalized status made them among the poorest residents of the country. In recent years the Ministry of Education encouraged them to attend school. The government issues Bidoon five-year residency permits to facilitate their social integration in government-provided health care and other services, putting them on similar footing with sponsored foreign workers. The General Directorate of Passports issued special identification cards to Bidoon similar to residency permits issued to foreigners in the country, but with features entitling their holders to additional government services similar to those available to citizens.

Very small numbers of Baloch, West African, and Rohingya Muslims from Burma resident in Saudi Arabia were stateless. Some Rohingya had expired passports that their home government had refused to renew, or they had entered the country with fraudulent travel documents. Many of them had been held in detention for years following their entry into the country under fake passports. UNHCR estimated there were between 250,000 and 500,000 Rohingya in the country. Some of these individuals benefited from a prior program to correct their residency status; in 2014 the government issued nearly 200,000 four-year residency permits to Rohingya who entered the country prior to 2008. Rohingya who arrived in the country after 2008 were not eligible for residency permits, although NGOs reported that Rohingya, including those without legal residency, were generally not subject to deportation prior to 2018. Upon the expiration of Rohingya residency permits in 2018, media reported more than 100 Rohingya faced deportation to Bangladesh at year’s end, and hundreds more were in detention at Shumaisi Detention Center near Mecca. In January the activist group Free Rohingya Coalition said Saudi Arabia continued to deport dozens of Rohingya to Bangladesh and was planning to deport 250 more. On January 26, the UN special rapporteur on the situation of human rights in Myanmar, Yanghee Lee, criticized Saudi Arabia for mistreatment of the Rohingya. In April a report indicated that nearly 650 Rohingya refugees at Shumaisi detention center in Jeddah went on a hunger strike, resulting in a number of deaths. Only an estimated 2,000 individuals of Rohingya origin had Saudi citizenship.

There also were between 300,000 and 400,000 Palestinian residents not registered as refugees.

**Section 3. Freedom to Participate in the Political Process**
The law does not provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage; it establishes an absolute monarchy led by the Al Saud family as the political system. The Allegiance Council, composed of up to 34 senior princes appointed by the king, is formally responsible for selecting a king and crown prince upon the death or incapacitation of either. Only select members of the ruling family have a voice in the choice of leaders, the composition of the government, or changes to the political system.

The law provides citizens the right to communicate with public authorities on any matter and establishes the government on the principle of consultation (shura). The king and senior officials, including ministers and regional governors, are required to be available through majlis, open-door meetings where in theory any male citizen or noncitizen may express an opinion or a grievance without an appointment.

Most government ministries and agencies had women’s sections to interact with female citizens and noncitizens, and at least two regional governorates hired female employees to receive women’s petitions and arrange meetings for women with complaints for, or requests of, the governor.

**Elections and Political Participation**

**Recent Elections:** In 2015 elections were held for two-thirds of the 3,159 seats on 284 municipal councils; the government appointed the remaining third. Council members serve until an intervening election--nominally for four-year terms--but there was no active discussion of holding municipal elections during the year. Women were allowed to vote and run as candidates for the first time in 2015. The voting age was also lowered universally to 18 years. The Ministry of Municipal and Rural Affairs actively encouraged women’s participation in the municipal elections. Election regulations prohibited candidates from contesting under party affiliation. Twenty-one women won seats and 17 were appointed to seats, totaling approximately 1 percent of all available seats.

The NSHR observed the elections, and select international journalists were also permitted to observe. Independent polling station observers identified no irregularities with the election. Prior to the election, several candidates reported they were disqualified for “violating the rules and regulations” without further explanation. They had the right to appeal, and some were reinstated in time for the
elections. Uniformed members of the security forces, including the military and police, were ineligible to vote.

**Political Parties and Political Participation:** There were no political parties or similar associations. The law does not protect the right of individuals to organize politically and specifically bans a number of organizations with political wings, including the Muslim Brotherhood, as regional and local terrorist groups. The government continued to regard human rights organizations, such as ACPRA, as illegal political movements and treated them accordingly.

**Participation of Women and Minorities:** The government changed laws and regulations to open new social and economic opportunities for women, but societal and institutional gender discrimination continued to exclude women from some aspects of public life. Political participation remained restricted, and authorities arrested and abused women’s rights activists perceived as critical or independent of the government. Nevertheless, women served in senior advisory positions within government ministries.

On March 8, the Presidency of the Two Holy Mosques appointed a female official to a leadership position for the first time, naming Dr. Munira bint Awad al-Jamihi as head the General Directorate for Women’s Affairs. On April 1, Minister of Civil Services Sulaiman al-Hamdan appointed Hind al-Zahid as undersecretary for women’s empowerment. In June the Ministry of Education appointed five women to leadership positions as undersecretaries and directors general. On August 19, Minister of Education Hamad Al al-Sheikh appointed Ibtisam al-Shehri as the first spokeswoman for public education in the country.

Thirty women were members of the Consultative Council, the 150-person royally appointed body that advises the king and may propose but not pass laws.

Women’s ability to practice law was limited; there were no women on the High Court or Supreme Judicial Council and no female judges or public prosecutors. On August 26, however, the PPO announced the appointment of 50 women as public prosecution investigators, marking the first time that women had held this position.

The country had an increasing number of female diplomats. On February 23, a royal decree appointed the first female Saudi ambassador, naming H.R.H. Princess Reema bint Bandar Al Saud to be ambassador to the United States. In May local media reported that approximately 30 percent of Ministry of Foreign Affairs employees were women.
Bureaucratic procedures largely restricted women working in the security services to employment in women’s prisons, at women’s universities, and in clerical positions in police stations, where they were responsible for visually identifying other women, for example wearing niqabs, for law enforcement purposes. In June the Ministry of Interior employed women as security guards at the women’s offices of the Civil Affairs Departments throughout the kingdom.

No laws prevent male citizens from minority groups from participating in political life on the same basis as other male citizens. Societal discrimination, however, marginalized the Shia Saudi population, and tribal factors and longstanding traditions continued to dictate many individual appointments to positions. Unofficially, government authorities will not appoint a Bedouin tribesman to a high-ranking cabinet-level position, and Bedouins can reach only the rank of major general in the armed forces. All cabinet members from tribal communities were members of urbanized “Hamael” tribes, rather than Bedouin tribes. While the religious affiliation of Consultative Council members was not known publicly, the council included an estimated seven or eight Shia members. The cabinet contained one religious minority member, Mohammad bin Faisal Abu Saq, a Shia Ismaili, who had held the position of Minister of State for Shura Affairs since 2014. Multiple municipal councils in the Eastern Province, where most Shia Saudis resided, had large proportions of Shia Saudis as members to reflect the local population, including a majority in Qatif and 50 percent in al-Ahsa. Eastern Province Shia judges dealing with intra-Shia personal status and family laws operated specialized courts.

**Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption. Some officials engaged in corrupt practices, and perceptions of corruption persisted in some sectors. Government employees who accepted bribes faced 10 years in prison or fines up to one million riyals ($267,000).

The Supreme Anticorruption Committee, the National Anticorruption Commission (Nazaha), the PPO, and the Control and Investigation Board are units of the government with authority to investigate reports of criminal activity, corruption, and “disciplinary cases” involving government employees. These bodies are responsible for investigating potential cases and referring them to the administrative courts.
While Nazaha is responsible for promoting transparency and combating all forms of financial and administrative corruption, the relationship between Nazaha and the newer Supreme Anticorruption Committee was unclear. Nazaha’s ministerial-level director reported directly to the king. In 2015 the Shura Council criticized Nazaha for its failure to refer for investigation a sufficient number of corruption cases. The council also stated the public did not believe Nazaha could handle its responsibility to investigate and punish corruption.

Legal authorities for investigation and public prosecution of criminal offenses are consolidated within the PPO; the Control and Investigation Board is responsible for investigation and prosecution of noncriminal cases. Financial audit and control functions are vested in the General Auditing Board. The HRC also responded to and researched complaints of corruption.

On December 12, King Salman issued three royal decrees consolidating anticorruption responsibilities under a single entity, the new Control and Anticorruption Commission. The decrees consolidate the Control and Investigation Board, Mabahith’s Administrative Investigations Directorate (within the General Investigation Directorate), and the National Anticorruption Commission (Nazaha) into the new commission, which is to be led by Mazen bin Ibrahim al-Khamous, who assumed leadership of Nazaha in August. The consolidated agency is intended to have criminal investigation and prosecutorial authorities that its predecessors lacked. As with Nazaha, the new Control and Anticorruption Commission will report directly to the king.

Provincial governors and other members of the royal family paid compensation to victims of corruption during weekly majlis meetings where citizens raised complaints.

Corruption: Nazaha continued operations and referred cases of possible public corruption to the PPO. Nazaha reported that the commission received 15,591 complaints in 2018, up from 10,402 in 2017.

On January 29, local media reported the Ministry of Municipal and Rural Affairs suspended 126 local government employees at municipalities across the kingdom on corruption charges. “They are charged with involvement in a number of cases including financial and managerial corruption, abuse of power, as well as other legal and criminal violations,” the ministry announced on Twitter.
On February 5, Public Prosecutor Saud al-Mu’jab announced the launch of the Financial Reports Office, part of the government’s General Auditing Bureau. Al-Mu’jab noted the office would monitor state spending and help sustain the fight against corruption after the end of the anticorruption campaign, which the Royal Court announced on January 30.

The Royal Court noted that in the anticorruption campaign, launched in 2017, the government had recovered 400 billion riyals ($106.7 billion) in cash, real estate, and other assets as settlements. It added that the anticorruption committee, led by Crown Prince Mohammad bin Salman, summoned 381 individuals for questioning and reached financial settlements with 87 suspects. Eight individuals declined to settle and were referred to the PPO. The cases of an additional 56 individuals were not settled due to preexisting criminal charges against them, the Royal Court stated.

Human rights organizations criticized the government for using the anticorruption campaign as a pretext to target perceived political opponents and for arbitrarily detaining and abusing individuals targeted in the crackdown (see sections 1.c. and 1.d., Pretrial Detention).

In September the government appointed a new Supreme Anticorruption Committee head who announced he would prioritize elimination of corruption in the government ministry and agency ranks.

Financial Disclosure: The government had a uniform schedule of financial disclosure requirements for public officials.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

The law provides that “the State shall protect human rights in accordance with Islamic sharia.” The government restricted the activities of domestic and international human rights organizations. The government did not allow international human rights NGOs to be based in the country and restricted access to the country for visits. International human rights and humanitarian NGOs reported the government was at times unresponsive to requests for information and did not establish a clear mechanism for communication with NGOs on both domestic human rights issues and issues relating to the conflict in Yemen. There were no transparent standards governing visits by international NGO representatives. The HRC stated that the government welcomed visits by legitimate, unbiased human
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rights groups but added the government could not act on the “hundreds of requests” it received, in part because it was cumbersome to decide which domestic agencies would be their interlocutor.

The government often cooperated with and sometimes accepted the recommendations of the NSHR, the sole government-licensed domestic human rights organization. The NSHR accepted requests for assistance and complaints about government actions affecting human rights.

The government viewed unlicensed local human rights groups with suspicion, frequently blocking their websites and charging their founders with founding and operating unlicensed organizations.

**Government Human Rights Bodies:** The government had mechanisms to investigate and punish abuse. The HRC is part of the government and requires the permission of the Ministry of Foreign Affairs before meeting with diplomats, academics, or researchers with international human rights organizations. The HRC president has ministerial status and reports to the king. The well-resourced HRC was effective in highlighting nonpolitically sensitive problems and registering and responding to the complaints it received, but its capacity to effect change was more limited. The HRC worked directly with the Royal Court and the cabinet, with a committee composed of representatives of the Consultative Council and the Ministries of Labor and Social Development and Interior, and with Consultative Council committees for the judiciary, Islamic affairs, and human rights.

During the year the HRC and NSHR were more outspoken in areas deemed less politically sensitive, including child abuse, child marriage, prison conditions, and cases of individuals detained beyond their prescribed prison sentences. They avoided topics such as protests or cases of political activists or reformers that would require directly confronting government authorities. The HRC board’s 18 full-time members included four women and at least three Shia members; they received and responded to complaints submitted by their constituencies, including problems related to persons with disabilities, religious freedom, and women’s rights. The Consultative Council’s Human Rights Committee also actively followed cases and included women and Shia among its members; a woman served as chairperson of the committee.

The HRC and NSHR maintained records of complaints and outcomes, but privacy laws protect information about individual cases, and information was not publicly available. According to HRC figures, the body received at least 1,070 human
rights-related complaints between January and April. On January 5, the NSHR stated it received 2,871 complaints in 2017. Topics of complaints included labor, abuse, citizenship, social welfare, health, and education. During the year the Board of Grievances held hearings and adjudicated claims of wrongdoing, but there were no reported prosecutions of security force members for human rights violations.

The HRC, in cooperation with the Ministry of Education, provided materials and training to police, other security forces, the Ministry of Defense, and the CPVPV on protecting human rights.

Military and security courts investigated abuses of authority and security force killings. The Board of Grievances, a high-level administrative judicial body that hears cases against government entities and reports directly to the king, is the primary mechanism to seek redress for claims of abuse. Citizens may report abuses by security forces at any police station or to the HRC or NSHR.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape is a criminal offense under sharia with a wide range of penalties, from flogging to execution. The law does not recognize spousal rape as a crime. The government enforced the law based on its interpretation of sharia, and courts often punished victims as well as perpetrators for illegal “mixing of genders,” even when there was no conviction for rape. Victims also had to prove that the rape was committed, and a woman’s testimony in court was not always accepted.

Due to these legal and social obstacles, authorities brought few cases to trial. Statistics on incidents of, and prosecutions, convictions, or punishments for rape were not available, but press reports and observers indicated rape was a serious problem. Moreover, most rape cases were likely unreported because victims faced societal and familial reprisal, including diminished marriage opportunities, criminal sanction up to imprisonment, or accusations of adultery or sexual relations outside of marriage, which are punishable under sharia.

The law against domestic violence provides a framework for the government to prevent and protect victims of violence in the home. The law defines domestic abuse broadly and criminalizes domestic abuse with penalties of one month to one
year of imprisonment or a fine of 5,000 to 50,000 riyals ($1,330 to $13,300), unless a court provides a harsher sentence.

Researchers stated it was difficult to gauge the magnitude of the problem, which they believed to be widespread. The National Family Safety Program, a quasi-governmental organization under the Ministry of National Guard, is charged with spreading awareness of and combatting domestic violence, including child abuse, and continued to report abuse cases.

Officials stated the government did not clearly define domestic violence and procedures concerning cases, including thresholds for investigation or prosecution, and thus enforcement varied from one government body to another. Some women’s rights advocates were critical of investigations of domestic violence, claiming investigators were hesitant to enter a home without permission from the male head of household, who may also be the perpetrator of violence. Some activists also claimed that authorities often did not investigate or prosecute cases involving domestic violence, instead encouraging victims and perpetrators to reconcile in order to keep families intact, regardless of reported abuse. There were reports of police or judges returning women directly to their abusers, most of whom were the women’s legal guardians.

On January 15, the PPO ordered an investigation into a video posted on social media in which a young woman alleged abuse by her father and described her escape from her family’s home. No updates were available by year’s end.

The government made efforts to combat domestic violence. On November 24, the HRC held a symposium on ending violence against women that had participation from government ministries as well as from academia, media, and foreign missions. During the year the King Abdulaziz Center for National Dialogue held workshops and distributed educational materials on peaceful conflict resolution between spouses and within families. The Ministry of Labor and Social Development administered government-supported family-protection shelters. Women reported that remaining in the shelters was not always voluntary.

The HRC received complaints of domestic abuse and referred them to other government offices. The HRC advised complainants and offered legal assistance to some female litigants. The organization provided services for children of female complainants and litigants and distributed publications supporting women’s rights in education, health care, development, and the workplace.
Women reported that domestic abuse in the form of incest was common but seldom reported to authorities due to fears over societal repercussions, according to local sources.

**Female Genital Mutilation/Cutting (FGM/C):** FGM/C was not a common practice in the country. The official government interpretation of sharia prohibits the practice.

**Sexual Harassment:** The extent of sexual harassment was difficult to measure, with little media reporting and no official government data. On August 28, local media reported a 4 percent drop in harassment cases during the year but did not specify the number of harassment cases or cite sources for the data. Otherwise, no statistics were available on the incidence of sexual harassment due to past reluctance to report violations.

In May 2018 the Council of Ministers passed the sexual harassment law, which carries a maximum penalty of up to five years in prison and a fine of up to 300,000 riyals ($80,000).

On May 11, the public prosecution issued a statement on its Twitter page explaining the legal definition of harassment, noting that the law provides for penalties of up to two years in prison and fines of up to 100,000 riyals ($26,700).

Local media reported at least five incidents of harassment in the first half of the year. On June 7, the PPO filed an objection to the preliminary sentence issued against a man arrested in May for sexually harassing a female driver. The PPO requested that the initial sentence of 10 months’ imprisonment and 5,000-riyal fine ($1,330) be increased to the maximum penalty under the sexual harassment law.

**Coercion in Population Control:** There were no reports of coerced abortion or involuntary sterilization.

**Discrimination:** Women continued to face discrimination under law and custom. New regulations issued during the year, however, granted women many of the same rights enjoyed by men pertaining to travel abroad, civil status, and employment.

The restrictions under the guardianship system, which require women to have permission from close male relatives to conduct certain actions, were loosened during the year.
The new amendments to the Civil Status Regulation, which entered into effect on September 4, grant women older than 18 the right to perform several actions pertaining to civil status that were previously limited to men. These include registering the birth of a child; registering the death of a spouse or close relative; registering a marriage or divorce (whether initiated by the husband or wife); and being designated “head of household,” thereby allowing women to serve as the guardian of their minor children. Women can also obtain from the Civil Status Administration a “family registry,” which is official documentation of a family’s vital records that verifies the relationship between parents and children. This move allows mothers to perform administrative transactions for their children, such as registering them for school or obtaining services at a hospital.

Women may legally own property and are entitled to financial support from their guardian. They can make their own determinations concerning hospital care. Women can work without their guardian’s permission, but some employers required women to have such permission, even though the law prohibits the practice. In February 2018 the Ministry of Commerce and Investment announced women no longer need their male guardian’s permission to start a business. Women still require a guardian’s permission to exit prisons after completing their terms.

In July 2018 two men were arrested in Mecca for setting fire to a female motorist’s car. The motorist, Salma al-Sherif, subsequently posted a widely circulated video on social media documenting the incident, claiming that her car was deliberately set alight by men “opposed to women drivers,” and that she had been repeatedly threatened and harassed by young men from her village of Samad in Mecca Province. In October 2018 the Mecca Criminal Court acquitted the two defendants for lack of sufficient evidence. During the year al-Sherif successfully appealed the verdict; on July 21, the Mecca Criminal Court sentenced the defendants to 11 months’ imprisonment and 240 lashes. The court awarded al-Sherif 50,000 riyals ($13,300) in restitution.

The law prohibits women from directly transmitting citizenship to their children, particularly if the children’s father is a noncitizen (see section 2.d. and section 6, Children). The country’s interpretation of sharia prohibits women from marrying non-Muslims, but men may marry Christians and Jews. Women require government permission to marry noncitizens; men must obtain government permission if they intend to marry citizens from countries other than Gulf Cooperation Council-member states (Saudi Arabia, Bahrain, Kuwait, Oman, Qatar,
and the United Arab Emirates). Regulations prohibit men from marrying women from Pakistan, Bangladesh, Chad, and Burma. The government additionally requires Saudi men wishing to marry a second wife who is a foreigner to submit documentation attesting to the fact that his first wife was disabled, had a chronic disease, or was sterile.

Societal pressures restricted women from using some public facilities. Some but not all businesses still required or pressured women to sit in separate, specially designated family sections in public places. In a June 2 press conference, Jeddah Mayor Saleh al-Turki gave his support for ending gender segregation in Jeddah’s restaurants and markets. Turki’s comments prompted at least several Jeddah restaurants and coffee shops to dismantle barriers separating family and male-only seating areas. In December the Ministry of Municipal and Rural Affairs ended the requirement for restaurants throughout the country to provide separate sections for males and families.

Cultural norms selectively enforced by state institutions require women to wear an abaya (a loose-fitting, full-length cloak) in public. In September the chairman of the Saudi Commission for Tourism and National Heritage, Ahmed al-Khateeb, stated abayas would not be mandatory for foreign tourists but modest dress covering shoulders and knees was mandatory.

In June a Saudi woman was barred by male security guards from entering an upscale shopping mall in Riyadh because she was not wearing an abaya. In a video posted to social media, the woman said the guards told her she was not dressed modestly.

Women also faced discrimination in courts, where in some cases, the testimony of a woman equals half that of a man. All judges are male, and women faced restrictions on their practice of law (see section 3, Participation of Women and Minorities, regarding the appointment of women as public prosecution investigators). In divorce proceedings women must demonstrate legally specified grounds for divorce, but men may divorce without giving cause, citing “irreconcilable differences.” In doing so, men must pay immediately an amount of money agreed at the time of the marriage that serves as a one-time alimony payment. Men may be forced, however, to make subsequent alimony payments by court order. The Ministry of Justice reported that it compelled 7,883 fathers to pay alimony in 2018. The government began implementing an identification system based on fingerprints, designed to provide women more access to courts, even if they chose to cover their faces with the niqab covering.
Women faced discrimination under family law. For example, a woman needs a guardian’s permission to marry or must seek a court order in the case of adhl (male guardians refusing to approve the marriage of women under their charge). In such adhl cases, the judge assumes the role of the guardian and may approve the marriage. During the year courts executed marriage contracts for women whose male custodians refused to approve their marriage, according to informed judicial sources quoted by local media. Courts considered as many as 321 adhl cases between September 2018 and February 5.

Courts routinely award custody of children when they attain a specified age (seven years for boys and nine years for girls) to the divorced husband or the deceased husband’s family. In numerous cases former husbands prevented divorced noncitizen women from visiting their children. In March 2018 Justice Minister Sheikh Walid Al-Samaani directed all courts to drop the requirement for divorced women to file a lawsuit in order to gain custody of their children. Provided there were no disputes between the parents, mothers may simply submit a request to the relevant court, without the need for legal action.

Inheritance laws also discriminate against women, since daughters receive half the inheritance awarded to their brothers.

According to recent surveys, women constituted 52 percent of public education and higher education students. Segregated education through university level was standard. The only exceptions to segregation in higher education were medical schools at the undergraduate level and the King Abdullah University of Science and Technology, a graduate-level research university, where women worked jointly with men, were not required to wear an abaya, and drove cars on campus. Other universities, such as al-Faisal University in Riyadh, offered partially segregated classes with students receiving instruction from the same teacher and able to participate together in class discussion, but with the women and men physically separated by dividers. In August Minister of Education Hamad Al al-Sheikh announced the assignment of female teachers to educate boys in public elementary schools for the first time.

**Children**

**Birth Registration:** Citizenship derives from the father, and both the father and mother may register a birth. There were cases of authorities denying public services to children of citizen parents, including education and health care, because
the government failed to register the birth entirely or had not registered it immediately, sometimes because the father failed to report the birth or did not receive authorization to marry a foreigner. Children of women who were married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother (see section 2.d., Stateless Persons).

**Child Abuse:** Abuse of children occurred. The National Family Safety Program operated a Child Helpline dedicated to assisting children in matters ranging from bullying to abuse, providing counseling, tracking, and referrals to social services. The Ministry of Labor and Social Development had 17 Social Protection Units across the country providing social protection to children younger than 18 as well as other vulnerable populations suffering domestic violence and abuse.

**Early and Forced Marriage:** The law does not specify a minimum age for marriage, although Ministry of Justice guidelines referred marriage applications to sharia courts to determine the validity of a marriage when the bride was younger than 16. Families sometimes arranged such marriages to settle family debts without the consent of the child. The HRC and NSHR monitored cases of child marriages, which they reported were rare or at least rarely reported, and took steps to prevent consummation of the marriage. Media reports quoted judges as saying the majority of child marriage cases in the country involved Syrian girls, followed by smaller numbers of Egyptians and Yemenis. There were media reports that some men who traveled abroad to find brides sought to marry minors. The application for a marriage license must record the bride’s age, and registration of the marriage is a legal prerequisite for consummation. The government reportedly instructed marriage registrars not to register marriages involving children.

**Sexual Exploitation of Children:** The cybercrimes law stipulates that punishment for such crimes, including the preparation, publication, and promotion of material for pornographic sites, may be no less than two and one-half years’ imprisonment or a fine of 1.5 million riyals ($400,000) if the crime includes the exploitation of minors. The law does not define a minimum age for consensual sex.

Anti-Semitism

There was no known data on Jewish citizens and no statistics available concerning the religious denominations of foreigners.

Cases of government-employed imams using anti-Jewish language in their sermons were rare and occurred without authorization by government authorities. The law requires government-employed imams to deliver all sermons in mosques in the country. Sermons are vetted and cleared by the Ministry of Islamic Affairs. During the year the ministry issued periodic circulars to clerics and imams in mosques directing them to include messages on the principles of justice, equality, and tolerance and to encourage rejection of bigotry and all forms of racial discrimination in their sermons.

Some NGOs reported that anti-Semitic material remained in school textbooks and online in private web postings and that some journalists, academics, and clerics made anti-Israel comments that sometimes strayed into anti-Semitism. Saudi Council of Senior Scholars member and Muslim World League secretary-general Mohammed al-Issa condemned anti-Semitism and intolerant speech.

Trafficking in Persons

See the Department of State’s Trafficking in Persons Report at https://www.state.gov/trafficking-in-persons-report/.

Persons with Disabilities

The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, the judicial system, or the provision of other state services or other areas. The law does not require public accessibility to buildings, information, and communications. Newer commercial buildings often included such access, as did some newer government buildings. Children with disabilities could attend government-supported schools.

Persons with disabilities could generally participate in civic affairs, and there were no legal restrictions preventing persons with disabilities from voting in municipal council elections. The Ministry of Labor and Social Development is responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities
into the mainstream. Persons with disabilities were elected and appointed to municipal councils in 2015, and two individuals with disabilities served on the consultative Shura Council, which was reconstituted in 2016.

**National/Racial/Ethnic Minorities**

Although racial discrimination is illegal, societal discrimination against members of national, racial, and ethnic minorities was a problem. There was also discrimination based on tribal or nontribal lineage. Descendants of former slaves in the country, who have African lineage, faced discrimination in both employment and society. There was formal and informal discrimination, especially racial discrimination, against foreign workers from Africa and Asia. In August an advertisement on social media seeking female participants for a military parade requested that applicants be of “white” or “medium white” skin tone. Event organizers said they had already recruited a similar number of women of darker skin tones. A tolerance campaign by the King Abdulaziz Center for National Dialogue sought to address discrimination, and it provided training during the year to combat discrimination against national, racial, or ethnic groups.

The government’s multi-year Tatweer project to revise textbooks, curricula, and teaching methods to promote tolerance and remove content disparaging religions other than Islam began in 2007. In November 2018 the Anti-Defamation League issued a report asserting that Saudi textbooks still contained anti-Semitic language and hate speech against other minority religions.

**Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

Under sharia as interpreted in the country, consensual same-sex sexual conduct is punishable by death or flogging, depending on the perceived seriousness of the case. It is illegal for men “to behave like women” or to wear women’s clothes, and vice versa. Due to social conventions and potential persecution, lesbian, gay, bisexual, transgender, and intersex (LGBTI) organizations did not operate openly, nor were there LGBTI rights advocacy events of any kind. There were reports of official and societal discrimination, physical violence, and harassment based on sexual orientation or gender identity in employment, housing, access to education, and health care. Stigma or intimidation acted to limit reports of incidents of abuse.

There were no government efforts to address discrimination. In 2016 newspapers quoted PPO officials as stating the bureau would seek death sentences for anyone
using social media to solicit homosexual acts. There were no reports, however, that the PPO sought death sentences in LGBTI cases during the year (see section 1.a.).

During the year local newspapers featured opinion pieces condemning homosexuality and calling on authorities to harshly punish individuals engaging in same-sex relations.

In September, two Saudi male journalists fled the country, claiming authorities revealed their romantic relationship to relatives in retaliation for contacts they had with foreign media. The journalists sought asylum in Australia.

**HIV and AIDS Social Stigma**

There were no reports of societal violence or discrimination against persons with HIV/AIDS. By law the government deported foreign workers who tested positive for HIV/AIDS upon arrival or who tested positive when hospitalized for other reasons. There was no indication that HIV-positive foreigners failed to receive antiretroviral treatment or that authorities isolated them during the year. The Ministry of Health’s HIV/AIDS program worked to counter stigma and discrimination against persons with HIV/AIDS.

**Other Societal Violence or Discrimination**

Social, legal, economic, and political discrimination against the country’s Shia minority continued. HRW claimed that some state clerics and institutions “incited hatred and discrimination against religious minorities, including the country’s Shia Muslim minority.”

To address the problem, the Ministries of Defense and Interior and the National Guard included antidiscrimination training in courses offered by the King Abdulaziz Center for National Dialogue for police and other law enforcement officers (see section 6, Other Societal Violence and Discrimination).

**Section 7. Worker Rights**

**a. Freedom of Association and the Right to Collective Bargaining**

The law does not provide for the right of workers to form and join independent unions. The law does not provide for the right to collective bargaining or the right
to conduct legal strikes. The law does not prohibit antiunion discrimination or require reinstatement of workers fired for union activity.

The government did not respect freedom of association and the right to collective bargaining. There were no labor unions in the country, and workers faced potential dismissal, imprisonment, or, in the case of migrant workers, deportation for union activities.

The government allowed citizen-only labor committees in workplaces with more than 100 employees, but it placed undue limitations on freedom of association and was heavily involved in the formation and activities of these committees. For example, the ministry approves the committee members and authorizes ministry and employer representatives to attend committee meetings. Committee members must submit the minutes of meetings to management and then transmit them to the minister; the ministry can dissolve committees if they violate regulations or are deemed to threaten public security. Regulations limit committees to making recommendations to company management that are limited to improvements to working conditions, health and safety, productivity, and training programs.

In April 2018 Riyadh governor Prince Faisal bin Bandar Al Saud warned against illegal assemblies by workers to protest delayed salaries. He advised that foreign workers should seek recourse from the offices of provincial governors and through legal processes, and he reiterated the importance of both employers’ and employees’ abiding by their contractual obligations.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, but the government did not effectively enforce the law. Forced labor occurred, especially among migrant workers—notably domestic servants. Conditions indicative of forced labor experienced by foreign workers included withholding of passports; nonpayment of wages; restrictions on movement; and verbal, physical, and sexual abuse. Labor law prohibits the confiscation of passports and nonpayment of wages. Violations of labor laws could result in penalties, but these did not sufficiently deter violations. Many noncitizen workers, particularly domestic employees not covered under the labor law, were unable to exercise their right to end their contractual work. An employer may require a trainee to work for him or her upon completion of training for a period not to exceed twice the duration of the training or one year, whichever is longer.
Restrictive sponsorship laws increased workers’ vulnerability to forced labor conditions and made many foreign workers reluctant to report abuse. The contract system does not allow workers to change employers or leave the country without the written consent of the employer under normal circumstances. If wages are withheld for 90 days, a ministerial decree permits an employee to transfer his or her sponsorship to a new employer without obtaining prior approval from the previous employer. There were reports, however, that the Ministry of Labor and Social Development did not always approve petitions to transfer sponsorship due to withheld wages, including some cases in which wages had been withheld for more than three months. During the year numerous migrant workers reported being dismissed, sometimes after months of nonpayment of salaries. Some remained stranded in the country because they were unable to pay required exit visa fees. A few countries that previously allowed their citizens to migrate to the country for work prohibited their citizens from seeking work in Saudi Arabia after widespread reports of worker abuse.

The government continued implementation of the Wage Protection System (WPS), which requires employers to pay foreign workers through bank transfers, thereby allowing the ministry to track whether workers were paid appropriately. All employers with more than 10 employees were required to comply with WPS regulations as of 2017. WPS covered five million employees in 34,000 businesses. The Ministry of Labor and Social Development fined companies for delaying payment for employees’ salaries on the first occurrence and blocked companies from accessing government services if a company delayed salaries for two or more months. The fines appeared to be insufficient to deter violations.

Throughout the year the government strictly implemented measures to limit the number of noncitizen workers in the country. The government also penalized Hajj tourist agencies that engaged in human smuggling and local companies that abused the country’s visa laws to bring individuals into the country for reasons other than to employ them directly. A smaller number came as religious pilgrims and overstayed their visas. Because of their undocumented status, many persons in the country were susceptible to forced labor, substandard wages, and deportation by authorities.

Also see the Department of State’s *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

c. Prohibition of Child Labor and Minimum Age for Employment
The law prohibits the worst forms of child labor. The law provides that no person younger than 15 may legally work unless that person is the sole source of support for the family. Children between the ages of 13 and 15 may work if the job is not harmful to health or growth and does not interfere with schooling. The law provides that hazardous operations or harmful industries may not employ legal minors, and children younger than 18 may not be employed for shifts exceeding six hours a day. There is no minimum age for workers employed in family-owned businesses or other areas considered extensions of the household, such as farming, herding, and domestic service. Penalties generally were considered sufficient to deter violations.

The HRC and NSHR are responsible for monitoring enforcement of child labor laws. There was little information on government efforts to enforce relevant laws or actions to prevent or eliminate child labor during the year. Authorities most commonly enforced the law in response to complaints of children begging on the streets.

Most child labor involved children from other countries, including Yemen and Ethiopia, forced into begging rings, street vending, and working in family businesses.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations do not prohibit discrimination on the basis of race, color, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation or gender identity, age, language, or HIV-positive status. Discrimination with respect to employment and occupation occurred with respect to all these categories. There are no effective complaint resolution mechanisms present to deter these discriminatory regulations and practices.

The Ministry of Labor and Social Development explicitly approved and encouraged the employment of women in specific sectors, particularly in government (see section 3, Participation of Women and Minorities) and retail, but women faced many discriminatory regulations. The first-quarter Labor Market Report by the General Authority for Statistics found that Saudi girls and women (15 years of age and above) constituted 8.4 percent of the country’s total labor force (Saudi and non-Saudi, 15 years of age and above). The same report estimated that women and girls, both Saudi and foreign, represented 17.8 percent of all employed persons (15 years of age and above) in the country. Most non-Saudi women were employed as domestic workers. Rules limited the type of work
women were allowed to perform and required them to wear a veil. In practice gender segregation continued to take place in the workplace.

There is no regulation requiring equal pay for equal work. In the private sector, the average monthly wage of Saudi women workers was 58 percent of the average monthly wage of Saudi men. Labor dispute settlement bodies did not register any cases of discrimination against women.

In recent years the government decreased the number of restrictions on women’s employment in various sectors (see sections 3 and 6, Women). The most recent reform came in October, when the government announced women could enlist in the military. There were no women working as judges or as members of the Council of Senior Religious Scholars. Women are barred from work in mining, oil refineries, construction, and power generation. Nevertheless, some factories and manufacturing facilities, particularly in the Eastern Province, employed men and women, who worked separate shifts during different hours of the day. The law grants women the right to obtain business licenses without the approval of their guardians, and women frequently obtained licenses in fields that might require them to supervise foreign workers, interact with male clients, or deal with government officials. Although it is illegal for a potential employer to ask a female applicant for her guardian’s permission when she applies for a job, some employers required them to prove such permission. In medical settings and the energy industry, women and men worked together, and in some instances women supervised male employees. Women who work in establishments with 50 or more female employees have the right to maternity leave and childcare.

By an amended decree effective on September 4, labor and social insurance regulations mandate that employers treat all workers equally and bar discrimination “between workers on the basis of gender, disability, age, or any other forms of discrimination, whether in work, employment or advertising [a] vacancy.” The decree expands previous regulations barring employers from firing female workers on maternity leave and includes protection from dismissal for pregnancy-related illness if the absence is less than 180 days per year. The amendments also raised the mandatory retirement age of women to 60, the same as for men.

The Ministry of Labor and Social Development is responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities into the mainstream. In June the Ministry of Education stated it had taken measures to integrate disabled
students, including special education programs in regular schools, training faculty members who work with students with disabilities, and providing technological instruments for students with disabilities free of charge.

Discrimination with respect to religious beliefs occurred in the workplace. Members of the Shia community complained of discrimination based on their religion and had difficulty securing or being promoted in government positions. They were significantly underrepresented in national security-related positions, including the Ministries of Defense and Interior and the National Guard. In predominantly Shia areas, Shia representation was higher in the ranks of traffic police and employees of municipalities and public schools. A very small number of Shia occupied high-level positions in government-owned companies and government agencies (see section 3, Participation of Women and Minorities). Shia were also underrepresented in employment in primary, secondary, and higher education.

Discrimination against Asian and African migrant workers occurred (see section 6, National/Racial/Ethnic Minorities). The King Abdulaziz Center for National Dialogue continued programs that sought to address some of these problems and provided training during the year to combat discrimination against national, racial, or ethnic groups. There were numerous cases of assaults on foreign workers and reports of worker abuse.

Informal discrimination in employment and occupation occurred on the basis of sex, gender, race, religion, national origin, and sexual orientation or gender identity.

In 2017 the Ministry of Interior’s General Directorate of Passports announced a national campaign to identify, arrest, fine, and deport individuals found in violation of the country’s residency laws under the title of “Nation without Violators.” The campaign began with a 90-day grace period or general amnesty to allow irregular migrants to depart the country “without penalty,” after which authorities extended the grace period in coordination with international organizations. The Ministry of Interior stated that nearly 4.15 million foreign citizens were arrested between November 2017 and November 2019 for violating work, residency, and entry rules. Approximately 1,036,800 violators were deported during the cited period, according to the ministry. The Human Rights Committee reported that law enforcement agencies had been trained in screening vulnerable populations for human trafficking indicators and the campaign was being carried out in accordance with protections against trafficking in persons.
e. Acceptable Conditions of Work

The monthly minimum wage for public-sector employees was above the estimated poverty-income level. There was no private-sector minimum wage for foreign workers, and the government did not mandate a general minimum private-sector wage for citizens.

By law a standard workday is eight hours. A standard workweek is 48 hours but can extend to 60 hours, subject to payment of overtime, which is 50 percent more than the basic wage.

An estimated 9.4 million noncitizens, including approximately 947,000 noncitizen women, made up approximately 76 percent of the labor force, according to the General Authority for Statistics labor market survey for the fourth quarter of 2018. Legal workers generally negotiated and agreed to work conditions prior to their arrival in the country, in accordance with the contract requirements contained in the labor law.

The law provides penalties for bringing foreigners into the country to work in any service, including domestic service, without following the required procedures and obtaining a permit. The penalties were insufficient to deter violations.

The labor law provides for regular safety inspections and enables ministry-appointed inspectors to examine materials used or handled in industrial and other operations and to submit samples of suspected hazardous materials or substances to government laboratories. The government effectively enforced the law. The Ministry of Health’s Occupational Health Service Directorate worked with the Ministry of Labor and Social Development on health and safety matters. Regulations require employers to protect some workers from job-related hazards and disease, although some violations occurred. These regulations did not cover farmers, herdsmen, domestic servants, or workers in family-operated businesses. Foreign citizens privately reported frequent failures to enforce health and safety standards. The ministry employed nearly 1,000 labor inspectors.

The law requires that a citizen or business must sponsor foreign workers in order for them to obtain legal work and residency status, although the requirement exempts Syrian and Yemeni citizens who overstayed their visas. According to the IOM, 32,532 Yemenis were deported between January and July due to their immigration status. The ministry implemented measures allowing noncitizen
workers to switch their employer to a new employer or company that employed a sufficient quota of Saudi citizens. Despite these revised measures, some workers were unaware of the new regulations and had to remain with their sponsor until completion of their contract or seek the assistance of their embassy to return home. There were also instances in which sponsors bringing noncitizen workers into the country failed to provide them with a residency permit, which undermined the workers’ ability to access government services or navigate the court system in the event of grievances. Sponsors with commercial or labor disputes with foreign employees also could ask authorities to prohibit employees from departing the country until the dispute was resolved. Authorities, however, would not jail or forcibly return fleeing workers who sought to exit the country within a 72-hour period or coordinate with their embassy for repatriation as long as the employees did not have criminal charges or outstanding fines pending against them.

Bilateral labor agreements set conditions on foreign workers’ minimum wage, housing, benefits including leave and medical care, and other topics. These provisions were not drafted in line with international standards, and they varied depending on the source country’s relative bargaining power. The labor law and the law against trafficking do not provide penalties to deter abuse of such workers.

The government engaged in news campaigns highlighting the plight of abused workers, trained law enforcement and other officials to combat trafficking in persons, and worked with the embassies of labor-source countries to disseminate information about labor rights for foreign workers. As in previous years, during Ramadan the HRC broadcast a public awareness program on television emphasizing the Islamic injunction to treat employees well.

The government did not always enforce the laws protecting migrant workers effectively. There were credible reports that some migrant workers were employed on terms to which they had not agreed and experienced problems, such as delays in the payment of wages, changes in employer, or changed working hours and conditions. Migrant workers, especially domestic workers, were vulnerable to abuse, exploitation, and conditions contravening labor laws, including nonpayment of wages, working for periods in excess of the 48-hour workweek, working for periods longer than the prescribed eight-hour workday, and restrictions on movement due to passport confiscation. There were also reports of physical and verbal abuse.

There were credible reports that some noncitizen workers, particularly domestic employees, were unable to exercise their right to remove themselves from
dangerous situations. Some employers physically prevented workers from leaving or threatened them with nonpayment of wages if they left. Sponsoring employers, who controlled foreign workers’ ability to remain employed in the country, usually held foreign workers’ passports, a practice prohibited by law. In some contract disputes, sponsors asked authorities to prevent the employee from leaving the country until resolution of the dispute to coerce the employee into accepting a disadvantageous settlement or risking deportation without any settlement.

While some foreign workers were able to contact the labor offices of their embassies for assistance, domestic workers experienced challenges when attempting to gain access to their embassies, including restrictions on their freedom of movement and telephone access, confiscation of their passports, and being subjected to threats and verbal and physical abuse. During the year hundreds of domestic workers, the majority of whom were female, sought shelter at their embassies, some fleeing sexual abuse or other violence by their employers. Some embassies maintained safe houses for citizens fleeing situations that amounted to bondage. The workers usually sought legal help from embassies and government agencies to obtain end-of-service benefits and exit visas.

In addition to their embassies, some domestic servants could contact the NSHR, the HRC, the governmental Interministerial General Secretariat to Combat Human Trafficking, and the Migrant Workers’ Welfare Department, which provided services to safeguard migrant workers’ rights and protect them from abuse. Some were able to apply to the offices of regional governors and lodge an appeal with the Board of Grievances against decisions by those authorities.

On October 13, refiner SASREF reported an apparent industrial accident killed two workers and injured two others during maintenance work. On February 11, the General Organization for Social Insurance stated that at least 47 persons working in the private sector died and 291 others were injured as a result of workplace accidents the previous year.
Tab 5
Overview: In 2019, Saudi Arabian government officials continued to work closely with their U.S. counterparts to deploy a comprehensive and well-resourced CT strategy that included vigilant security measures, regional and international cooperation, and measures to counter terrorist radicalization and recruitment. Saudi Arabia maintained a high cooperation tempo with U.S. and international partners in a range of CT
fields, including terrorist information sharing, monitoring of FTFs, border security, countering unmanned aerial systems (UAS), and CVE. The Saudi Arabian government worked to disrupt, and supported U.S. and international sanctions against, terrorist finance networks, focusing heavily on entities supporting Iran’s IRGC-QF, Lebanese Hizballah, and other Iranian proxy groups active in the Gulf.

Attacks by Iran on September 14 targeted some of the Kingdom’s most important oil-processing facilities at Abqaiq and Khurais. Saudi authorities moved quickly to bolster the facilities’ security posture, restore oil processing and export capacity, and repair damaged infrastructure. To help deter Iranian aggressive behavior and enhance Saudi capacity, Saudi Arabia agreed to host U.S. service members.

As in previous years, Saudi Arabia was a full partner and active participant in the Global Coalition to Defeat ISIS and provided significant operational and logistical support for Coalition activities in Syria and Iraq. Saudi operations in Yemen included CT missions against AQAP and ISIS.

2019 Terrorist Incidents: Saudi Arabia suffered from numerous terrorist incidents in 2019. Terrorist incidents included both external attacks by Iranian and Houthi actors and small-scale attacks, largely perpetrated by lone offender actors including ISIS sympathizers. Militants instigated violence using IEDs, gunfire, and UAS. Attacks in 2019 included:

- On April 7, two suspected terrorists were killed and another two arrested by Saudi security forces when they attacked a vehicle
checkpoint in Abu Hadriya on the Dammam-Jubail highway. Two non-Saudi civilians were injured in the exchange of gunfire between the suspects and Saudi security forces. Two Saudi security officials also sustained injuries.

- On April 21, Saudi security officials killed four suspected terrorists in a failed terrorist attack on a Ministry of Interior building in the town of Al Zulfi, Riyadh Province. The militants detonated an explosive suicide belt, and three Saudi security officials were injured in the exchange of fire. ISIS claimed responsibility for the attack.

- On May 14, unmanned aircraft systems targeted two pumping stations on the East-West pipeline carrying crude oil from Dhahran to Yanbu. Yemen-based Iran-backed Houthi militants claimed responsibility.

- On June 12, Saudi-led coalition senior officials reported a cross-border cruise missiles attack at Abha International Airport, injuring 26 civilians. Yemen-based Iran-backed Houthi militants claimed responsibility for this attack.

- On August 17, Yemen’s Iran-backed Houthi militants struck a natural gas liquids plant at Shaybah oilfield in the Kingdom’s Empty Quarter with drones. The drone strike damaged the facility and caused a fire. No deaths or casualties were reported.

- On September 14, Iranian attacks hit the Abqaiq and Khurais oil processing facilities in the Eastern province, initially taking 5.7 million barrels per day of crude oil production offline. Although Yemen’s Iran-backed Houthi militants claimed responsibility for the attack, investigations led by Saudi Arabia and the United States concluded the
In addition, on December 6, 2019, a member of the Royal Saudi Air Force opened fire in a classroom at Naval Air Station Pensacola in Florida, killing three and wounding eight. The gunman, 2nd Lt Mohammed Saeed Alshamrani, was a student who was receiving training at the base. The FBI later noted that Alshamrani had coordinated with AQAP before the terrorist attack, for which the latter claimed credit. The Government of Saudi Arabia continues to work closely with the United States on the investigation.

**Legislation, Law Enforcement, and Border Security:** In 2019, the Saudi Arabian government used its 2017 counterterrorism law to prosecute cases. The State Security Presidency (SSP) and the Saudi General Investigations Directorate, also known as the *Mabahith*, took the lead in terrorism-related investigations. Well positioned to respond to incidents, the SSP aggressively investigated terrorist suspects and dismantled suspected ISIS terrorist-related cells within its borders. According to press reports, the Specialized Criminal Court, tasked with judicial oversight of criminal hearings, heard several terrorism-related cases. The court sentenced 38 convicts to death for terrorism-related crimes, with one Yemeni executed on April 9 and 37 Saudis executed on April 23. Some international human rights and press groups continued to assert that the Kingdom has misused counterterrorism laws to prosecute religious and political dissidents, women’s rights activists, and prominent Saudi clerics. Saudi Arabia remained a country of particular concern, a designation it has
held since 2004 for systematic violations under the International Religious Freedom Act, including for repression of religious freedom and religious minorities. The Anti-Defamation League and other human rights organizations reported that Saudi textbooks, media, and preaching continued to feature content that condones violence against Jews, Christians, Shia, LGBT persons, and others. See the 2019 International Religious Freedom report.

Saudi Arabia remained committed to securing its borders and denying safe haven to terrorists. With an extensive border security network, the Ministry of Interior closely monitored passenger manifests for inbound and outbound flights and used travel document security technology, API/PNR, and biometric screening capabilities at ports of entry. The General Directorate of Border Guards expanded search operations to detect and disrupt terrorist activity and effectively patrolled land and maritime borders. Officials from the Saudi Border Guards, charged with monitoring the coast within the Kingdom’s territorial waters, called for international agreements to combat the growing threat of maritime terrorism targeting oil tankers and coastal installations in the Gulf.

**Countering the Financing of Terrorism:** Saudi Arabia is a member of FATF and MENAFATF. Saudi Arabia became the first Arab nation to achieve full membership in the FATF in June. Its FIU, known as the Saudi Arabia Financial Investigation Unit, is a member of the Egmont Group. Saudi Arabia is also a member of the Defeat ISIS CIFG and the TFTC.

In collaboration with other TFTC member states, Saudi Arabia in 2019
imposed one round of sanctions against individuals and entities affiliated with the Iranian regime’s terror-support networks in the region.

**Countering Violent Extremism:** Crown Prince Mohammed bin Salman’s Vision 2030 reform package calls on all ministries to undertake measures to confront and weaken the violent ideology that underpins terrorist propaganda. The Muslim World League Secretary General, Dr. Mohammed al-Issa, pressed a message of interfaith dialogue, religious tolerance, and peaceful coexistence with global religious authorities, including Muslim imams outside the Arab world. He also conducted outreach with a variety of Jewish and Christian leaders, including prominent U.S. rabbis and Christian evangelicals.

Saudi Arabia has recently initiated lines of CVE effort to foster reform and regulate religious activities. The government reported that it continued to work to constrain the discriminatory content of its education, satellite, and religious advocacy output both overseas and domestically. Nevertheless, its decades-long support for organizations that propagated intolerant interpretations of Islam overseas remained a concern, as did uneven implementation of educational content reform. Ministry of Islamic Affairs officials continued to conduct outreach to imams across the country, encouraging them to refute “radical extremist” ideology in their sermons and replacing imams who included inflammatory rhetoric in their mosque sermons. Through routine monitoring of terrorist websites and social media accounts, authorities attempted to dispel what the Saudi government views as misinterpretations of Islamic theology. In 2019, there also was an increased emphasis on family outreach mechanisms to reduce
the risk of travel to conflict zones to avoid terrorist radicalization or participation in terror-related activities. Terrorist de-radicalization programs in Saudi prisons and at the Mohammed bin Naif Care and Counseling Center remained a main feature in the reintegration and monitoring of former terrorists.

**International and Regional Cooperation:** Saudi Arabia’s regional diplomatic efforts to fight terrorism saw a strong uptick in 2019, as the country partnered with several nations on a bilateral and regional basis to improve information sharing related to CT activities. Through the UN Counter-Terrorism Center, the GCTF, and the Gulf Cooperation Council, the Saudi Arabian government worked to strengthen capacity and monitor new terrorist trends through policy coordination, capacity building, and operational collaboration with international partners. Saudi Arabia signed multiple CT MOUs with international partners and hosted three diplomatic conferences – the Makkah Summit, the Organization of Islamic Cooperation Summit, and the Arab Summit – all of which included counterterrorism discussions. Saudi Arabia is a member of the Global Coalition to Defeat ISIS.
Tab 6
SAUDI ARABIA 2018 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Kingdom of Saudi Arabia is a monarchy ruled by King Salman bin Abdulaziz Al Saud, who is both head of state and head of government. The 1992 Basic Law sets out the system of governance, rights of citizens, and powers and duties of the government, and it provides that the Quran and Sunna (the traditions of the Prophet Muhammad) serve as the country’s constitution. It specifies that the rulers of the country shall be male descendants of the founder, King Abdulaziz (Ibn Saud). In 2015 the country held its most recent municipal elections on a nonparty basis for two-thirds of the 3,159 seats in the 284 municipal councils around the country. Independent polling station observers did not identify significant irregularities with the elections. For the first time, women were allowed to vote and run as candidates in these municipal elections.

Civilian authorities generally maintained effective control over the security forces.

Human rights issues included unlawful killings; executions for nonviolent offenses; forced renditions; forced disappearances; and torture of prisoners and detainees by government agents. There were also reports of arbitrary arrest and detention; political prisoners; arbitrary interference with privacy; criminalization of libel, censorship, and site blocking; restrictions on freedoms of peaceful assembly, association, and movement; severe restrictions of religious freedom; citizens’ lack of ability and legal means to choose their government through free and fair elections; trafficking in persons; violence and official discrimination against women, although new women’s rights initiatives were implemented; criminalization of consensual same-sex sexual activity; and prohibition of trade unions.

Government agents carried out the killing of journalist Jamal Khashoggi inside the consulate of Saudi Arabia in Istanbul, Turkey, on October 2. King Salman pledged to hold all individuals involved accountable, regardless of position or rank. Several officials were removed from their positions, and on November 15, the Public Prosecutor’s Office (PPO) announced the indictment of 11 suspects. The PPO announced it would seek the death penalty for five of the suspects charged with murder and added that an additional 10 suspects were under further investigation. At year’s end the PPO had not named the suspects nor the roles allegedly played by them in the killing, nor had they provided a detailed explanation of the direction and progress of the investigation. In other cases the
government did not punish officials accused of committing human rights abuses, contributing to an environment of impunity.

The country continued air operations in Yemen as leader of a military coalition formed in 2015 to counter the 2014 forceful takeover of the Republic of Yemen’s government institutions and facilities by Houthi militias and security forces loyal to former president Ali Abdullah Saleh. Saudi-led coalition airstrikes in Yemen resulted in civilian casualties and damage to infrastructure on a number of occasions, and the United Nations and nongovernmental organizations (NGOs), such as Human Rights Watch (HRW) and Amnesty International, reported that some coalition airstrikes caused disproportionate collateral damage. Houthi-aligned militias carried out cross-border raids into Saudi territory and fired missiles and artillery into Saudi Arabia throughout the year, killing and injuring Saudi civilians. The coalition’s Joint Incident Assessment Team, established by the Saudi government and based in Riyadh, investigated allegations of civilian casualties, published recommendations, and in some cases promised to provide compensation to affected families, although no prosecutions occurred.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

The government or its agents engaged in arbitrary or unlawful killings. On October 2, Jamal Khashoggi, a prominent Saudi journalist who lived abroad in “self-exile,” was killed by government agents during a visit to the Saudi Arabian consulate in Istanbul, Turkey. The government initially claimed he had left the consulate in good health but changed its story as facts came to light. On November 15, the PPO announced the indictment of 11 suspects in Khashoggi’s killing and that it would seek the death penalty for five of them charged with murder. The PPO added that an additional 10 suspects were under investigation in connection with the case. The PPO did not name the suspects. Previously, on October 19, the government announced the dismissal of five senior officials, including Royal Court advisor Saud al-Qahtani and Deputy Chief of the General Intelligence Presidency Ahmad al-Asiri, in connection with Khashoggi’s killing. In 2016 authorities reportedly banned Khashoggi from writing, appearing on television, and attending conferences due to remarks he made that were interpreted as critical of foreign and Saudi government officials, according to multiple media sources.
On March 12, the *New York Times* reported that unnamed sources said 17 detainees—among them princes, businessmen, and former and current government officials—held at the Ritz Carlton Hotel in Riyadh in November 2017 had required hospitalization for physical abuse and that one had died in custody.

Under the country’s interpretation and practice of sharia (Islamic law), capital punishment may be imposed for a range of nonviolent offenses, including apostasy, sorcery, and adultery, although in practice death sentences for such offenses were rare and often reduced on appeal. The government, however, frequently implemented capital punishment for nonviolent drug trafficking offenses. According to the governmental Saudi Press Agency, the country carried out 145 executions as of December 19, 57 of which were for drug-related offenses. Three of those executions were carried out in public.

Since the country lacks a comprehensive written penal code listing criminal offenses and the associated penalties for them (see section 1.e.), punishment—including the imposition of capital punishment—is subject to considerable judicial discretion. Defendants are able to appeal their sentences. The law requires a five-judge appellate court to affirm a death sentence, which a five-judge panel of the Supreme Court must unanimously affirm. Appellate courts may recommend changes to a sentence, including increasing a lesser sentence to the death penalty.

Defendants possess the right under the law to seek commutation of a death sentence for some crimes and may receive a royal pardon under specific circumstances (see section 1.d.).

Many of those executed during the year had been convicted in trials that did not meet international minimum fair trial standards, according to NGOs such as Amnesty International. Amnesty noted that “those sentenced to death are often convicted solely on the basis of ‘confessions’ obtained under torture and other mistreatment, denied legal representation in trials which are held in secret, and are not kept informed of the progress of the legal proceedings in their case.”

In August the public prosecutor charged six Eastern Province activists with offenses that potentially could lead to death sentences based on the sharia principle of *ta’zir*, or “discretionary” punishments, according to HRW. The judge has discretion over the definition of what constitutes a crime and the sentence. The activists had initial hearings before the Specialized Criminal Court (SCC), set up in 2008 to try terrorism cases, on charges including “participating in violent protests” in the Qatif area of Eastern Province. Local and international human rights
organizations noted the hearings before the SCC lacked transparency and did not adhere to minimum fair trial standards.

On March 15, seven UN experts issued a statement expressing concern over the pending death sentence of Abbas Haiji al-Hassan and 14 others, whom the SCC convicted of spying for Iran, financing terrorism, and illegally proselytizing in 2016. The experts called on the government to annul the death sentences, which had been upheld by further court rulings in July and December 2017. Al-Hassan was later transferred to the State Security Presidency (SSP), and his sentence was, at year’s end, subject to ratification by the king. The UN report commented: “We are concerned that these individuals were subjected to torture during their interrogation to obtain confessions and that the death sentences may be based on evidence obtained under these conditions.”

The government also imposed death sentences for crimes committed by minors. According to the European Saudi Organization for Human Rights (ESOHR), at year’s end eight individuals on death row were minors when detained, or at the time they committed offenses. The new Juvenile Law (approved by Royal Decree No. M/113, dated August 1, 2018), however, sets the legal age at 18 based on the Hijri calendar and in some cases permits detention of minors in a juvenile facility for up to 15 years if the crime is otherwise punishable by death.

At year’s end the government had not carried out the execution of Ali Mohammed Baqir al-Nimr, sentenced to death in 2014 for crimes he allegedly committed when he was 17. Al-Nimr was charged with protesting, aiding and abetting fugitives, attacking security vehicles, and various violent crimes. Human rights organizations reported due process concerns relating to minimum fair trial standards for his case. Al-Nimr was the nephew of Shia cleric Nimr al-Nimr, executed in 2016.

There were terrorist attacks in the country during the year. A police officer, a Bangladeshi national, and two attackers were killed in a terrorist attack claimed by ISIS that targeted a security checkpoint in Buraidah, Qassim Province, on July 8.

b. Disappearance

There were reports of disappearances carried out by or on behalf of government authorities.
On May 29 and June 13, UN Office of the High Commissioner for Human Rights spokesperson Liz Throssell and HRW, respectively, urged authorities to disclose the whereabouts of Nawaf al-Rasheed, a citizen with dual Qatari nationality, whom Kuwait authorities stated had been deported to Saudi Arabia on May 12 at the kingdom’s request.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and makes officers, who are responsible for criminal investigations, liable for any abuse of authority. Sharia, as interpreted in the country, prohibits judges from accepting confessions obtained under duress. Statutory law provides that public investigators shall not subject accused persons to coercive measures to influence their testimony.

Multiple human rights organizations, the United Nations, and independent third parties noted numerous reports of torture and mistreatment of detainees by law enforcement officers. In November HRW and Amnesty International reported that some female right-to-drive activists arrested in May and June were subjected to torture and sexual harassment while in detention at Dhahban Prison near Jeddah. Human rights organizations and Western media outlets reported the women had been subjected to electric shocks, whipping, and forced kissing.

In a September SCC hearing attended by diplomatic representatives, three defendants reported their confessions had been forced after they were subject to abuse including beatings, sleep deprivation, being forced to stand for long periods, and food deprivation. In a June report, UN Special Rapporteur on Human Rights and Counter-terrorism Ben Emmerson called on authorities to investigate allegations of the torture of detainees. While noting the country had “suffered numerous terrorist acts” and had a duty to protect its citizens, Emmerson said he had “well-documented reports” of torture and mistreatment by law enforcement officials against individuals accused of terrorism, as well as the use of coerced confessions. Emmerson also said authorities had widened their use of the broad antiterrorism law since his visit in April-May 2017. Authorities denied officials committed torture and stated they afforded all detainees due process and properly investigated credible complaints of mistreatment or torture.

On March 11, The New York Times reported that businessmen and princes arrested and detained during the government’s November 2017 anticorruption campaign were required to wear ankle bracelets that tracked their movements after their
release. It added that at least 17 detainees were hospitalized for physical abuse, and one later died in custody with his body bearing signs of torture.

Amnesty, HRW, and other organizations also reported cases in which the SCC based its decisions on confessions allegedly obtained through torture and then admitted as evidence.

Former detainees in facilities run by the General Investigations Directorate (the country’s internal security forces, also known as Mabahith) alleged that abuse included beatings, sleep deprivation, and long periods of solitary confinement for nonviolent detainees.

Officials from the Ministry of Interior, PPO, and Human Rights Commission (HRC) claimed that rules prohibiting torture prevented such practices from occurring in the penal system. The ministry said it installed surveillance cameras to record interrogations of suspects in some criminal investigation offices, police stations, and prisons where such interrogations regularly occurred, such as the General Investigations Directorate/Mabahith prison facilities. There were reports that defendants who requested copies of video footage from the ministry’s surveillance system to provide as evidence of torture did not receive it.

Courts continued to sentence individuals to corporal punishment, usually in the form of floggings, whippings, or lashings, a common punishment that government officials defended as punishment dictated by sharia. According to human rights activists, police conducted the floggings according to a set of guidelines determined by local interpretation of sharia. The police official administering the punishment must place a copy of the Quran under his arm that prevents raising the hand above the head, limiting the ability to inflict pain or injury on the person subjected to the punishment, and instructions forbid police from breaking the skin or causing scarring when administering the lashes. Human rights organizations disputed that officials implemented floggings according to these guidelines for all prisoners and characterized flogging as a form of cruel and unusual punishment.

There were no reported cases of judicially administered amputation during the year.

**Prison and Detention Center Conditions**

Prison and detention center conditions varied, and some did not meet international standards; reported problems included overcrowding and inadequate conditions.
Physical Conditions: In May the HRC reported that the most common problems observed during prison visits conducted in 2017 included overcrowding as well as insufficient facilities for inmates with disabilities.

Juveniles constituted less than 1 percent of detainees and were held in separate facilities from adults, according to available information.

Violations listed in National Society for Human Rights (NSHR) reports following prison visits documented shortages of properly trained wardens and lack of prompt access to medical treatment and services, including medication, when requested. Some prisoners alleged prison authorities maintained cold temperatures in prison facilities and deliberately kept lights on 24 hours a day to make prisoners uncomfortable.

Human rights activists reported that deaths in prisons, jails, or pretrial detention centers were infrequent (see section 1.a.).

Authorities held pretrial detainees together with convicted prisoners. They separated persons suspected or convicted of terrorism offenses from the general population but held them in similar facilities. Activists alleged that authorities sometimes detained individuals in the same cells as individuals with mental disabilities as a form of punishment and indicated that authorities mistreated persons with disabilities.

Administration: There were multiple legal authorities for prisons and detention centers. The General Directorate of Prisons administered approximately 91 detention centers, prisons, and jails, while the General Investigations Directorate/Mabahith administered approximately 20 regional prisons and detention centers for security prisoners. Article 37 of the law of criminal procedure gives members of the PPO the authority to conduct official visits of prisons and detention facilities “within their jurisdictional areas to ensure that no person is unlawfully imprisoned or detained” (see section 1.d., Arrest Procedures and Treatment of Detainees).

No ombudsmen were available to register or investigate complaints made by prisoners, although prisoners could and did submit complaints to the HRC and the NSHR for follow up. Article 38 of the law of criminal procedure provides that “any prisoner or detainee shall have the right to submit, at any time, a written or verbal complaint to the prison or detention center officer and request that he
communicate it to a member of the [former] Bureau of Investigations and Public Prosecution [renamed the PPO].” Under the law there is no right to submit complaints directly to judicial authorities or to challenge the legality of an individual’s detention before a court of law (habeas corpus). There was no information available on whether prisoners were able to submit complaints to prison or prosecutorial authorities without censorship, or whether authorities responded or acted upon complaints.

On December 17, the Wall Street Journal reported the HRC was investigating alleged abused of detained women’s rights activists.

On July 6, security authorities arrested human rights defender Khaled al-Omair after he had filed a complaint with the Royal Court against an officer of the General Directorate of Investigation who allegedly tortured him during a prior imprisonment, according to the Gulf Centre for Human Rights (GCHR). Al-Omair was previously released in April 2017 after serving an eight-year sentence for inciting demonstrations and calling for them via the internet, according to the GCHR.

Recordkeeping on prisoners was inadequate; there were reports authorities held prisoners after they had completed their sentences.

A Ministry of Interior-run website (Nafetha) provided detainees and their relatives access to a database containing information about the legal status of the detainee, including any scheduled trial dates. Activists said the website did not provide information about all detainees.

Authorities differentiated between violent and nonviolent prisoners, sometimes pardoning nonviolent prisoners to reduce the prison population. Certain prisoners convicted on terrorism-related charges were required to participate in government-sponsored rehabilitation programs before consideration of their release.

Authorities generally permitted relatives and friends to visit prisoners twice a week, although certain prisons limited visitation to once every 15 days. There were reports that prison, security, or law enforcement officials denied this privilege in some instances, often during investigations. The families of detainees could access the Nafetha website for applications for prison visits, temporary leave from prison (generally approved around post-Ramadan Eid holidays), and release on bail (for pretrial detainees). Some family members of detained persons under investigation said family visits were typically not allowed, while others said
allowed visits or calls were extremely brief (less than five minutes). Some family members of prisoners complained authorities canceled scheduled visits with relatives without reason.

Authorities generally permitted Muslim detainees and prisoners to perform religious observances such as prayers.

Independent Monitoring: Independent institutions were not permitted to conduct regular, unannounced visits to places of detention, according to the UN Committee against Torture. During the year the government permitted some foreign diplomats to visit some prison facilities to view general conditions in nonconsular cases. In a limited number of cases, foreign diplomats visited individuals in detention, but the visits took place in a separate visitors’ center where conditions may have differed from those in the detention facilities holding the prisoners.

The government permitted the HRC and domestic quasi-governmental organizations, such as the NSHR, to monitor prison conditions. The organizations stated they visited prisons throughout the country and reported on prison conditions. In December the HRC reported it had conducted more than 1,200 prison visits in 2017, including visits to Mabahith prisons, criminal investigation prisons, and some military prisons, as well as “social surveillance centers” and girls’ welfare institutions. The NSHR reportedly monitored health care in prisons and brought deficiencies to the attention of the PPO.

d. Arbitrary Arrest or Detention

The law provides that no entity may restrict a person’s actions or imprison a person, except under the provisions of the law. The law of criminal procedure provides that authorities may not detain a person for more than 24 hours, except pursuant to a written order from a public investigator. Authorities must inform the detained person of the reasons for detention. Regardless, the Ministry of Interior and the SSP, to which the majority of forces with arrest powers reported, maintained broad authority to arrest and detain persons indefinitely without judicial oversight, notification of charges, or effective access to legal counsel or family. Authorities held persons for months and sometimes years without charge or trial and reportedly failed to advise them promptly of their rights, including their legal right to be represented by an attorney. Under the law of criminal procedure, detentions can be extended administratively for up to six months at the discretion of the PPO.
The Supreme Anti-Corruption Committee, formed by Royal Order No. (A/38) in November 2017, was granted broad powers, including the authority to issue arrest warrants and travel bans, freeze accounts and portfolios, and take whatever measures deemed necessary to deal with those involved in public corruption cases.

In January the public prosecutor stated the committee summoned 381 persons for questioning, of whom 56 suspects were still held on graft charges. On April 8, the public prosecutor began investigations and opening arguments for the remaining 56 suspects. In an October 5 interview with Bloomberg News, Crown Prince Mohammed bin Salman declared only eight suspects remained.

The PPO may order the detention of any person accused of a crime under the 2017 counterterrorism law for up to 30 days, or successive periods not exceeding 30 days each, and in total not more than 12 months. The SCC must authorize periods of detention of more than 12 months. In practice the United Nations and international human rights organizations documented numerous cases of detention that reportedly exceeded the maximum allowable period under the law.

By law defendants accused of any crime cited in the law are entitled to hire a practicing lawyer to defend themselves before the court “within an adequate period of time to be decided by the investigatory body.”

Since May 15, authorities arrested at least 30 prominent activists, and imposed travel bans on others, in connection with these activists’ advocacy for the right of women to drive. On June 1, Public Prosecutor Sheikh Saud al-Mu’jab stated authorities temporarily released eight of the detainees (five women and three men). An additional activist was released in December.

**Role of the Police and Security Apparatus**

In July 2017 King Salman issued a royal decree that established the State Security Presidency (SSP), a new entity reporting directly to the king, to consolidate “the counterterrorism and domestic intelligence services” and “all matters related to state security, … combatting terrorism, and financial investigations,” according to the official Saudi Press Agency. The royal decree moved the General Directorate of Investigation (Mabahith), Special Security Forces, Special Emergency Forces, General Security Aviation Command, General Directorate of Technical Affairs, and the National Information Center from the Ministry of Interior to the SSP. Police, traffic authorities, and the General Directorate of Passports remained under the Ministry of Interior, according to the Ministry of Information’s website.
The king, SSP, and Ministries of Defense, Interior, and National Guard are responsible for law enforcement and maintenance of order. The SSP and Ministry of Interior exercise primary control over internal security and police forces. The civil police and the internal security police have authority to arrest and detain individuals. Ministry of Interior and SSP police and security forces were generally able to maintain order.

The Committee for the Promotion of Virtue and the Prevention of Vice (CPVPV), which monitors public behavior to enforce strict adherence to official interpretation of Islamic norms, reports to the king via the Royal Diwan (royal court) and to the Ministry of Interior. In 2016 the cabinet issued regulations severely curtailing the CPVPV’s enforcement powers. The new regulations prohibit CPVPV officers from investigating, detaining or arresting, or requesting the identification of any individual. The regulations also limit their activities to providing counseling and reporting individuals suspected of violating the law to police or other authorities. Evidence available since the end of 2017 indicated that CPVPV officers were less visibly present and active after implementation of the new strictures. Mabahith officers also have broad authorities to investigate, detain, and forward “national security” cases to judicial authorities--which ranged from terrorism cases to dissident and human rights activist cases--separate from the PPO.

Civilian authorities generally maintained effective control over security forces, and the government had mechanisms to investigate and punish abuse and corruption. Military and security courts investigated abuses of authority and security force killings. The Board of Grievances (“Diwan al-Mazalim”), a high-level administrative judicial body that hears cases against government entities and reports directly to the king, is the primary mechanism to seek redress for claims of abuse. Citizens may report abuses by security forces at any police station or to the HRC or NSHR. The HRC and NSHR maintained records of complaints and outcomes, but privacy laws protected information about individual cases, and information was not publicly available. The HRC said in February that it received 2,646 human rights-related complaints during fiscal year 2016-17. During the year the Board of Grievances held hearings and adjudicated claims of wrongdoing, but there were no reported prosecutions of security force members for human rights violations.

The HRC, in cooperation with the Ministry of Education, provided materials and training to police, other security forces, the Ministry of Defense, and the CPVPV on protecting human rights.
The Supreme Anti-Corruption Committee, established in November 2017, the National Anticorruption Commission (Nazaha), the PPO, and the Control and Investigation Board are units of the government with authority to investigate reports of criminal activity, corruption, and “disciplinary cases” involving government employees. These bodies are responsible for investigating potential cases and referring them to the administrative courts. Legal authorities for investigation and public prosecution of criminal offenses are consolidated within the PPO; the Control and Investigation Board is responsible for investigation and prosecution of noncriminal cases. Financial audit and control functions are vested in the General Auditing Board.

Arrest Procedures and Treatment of Detainees

In June 2017 King Salman issued two royal decrees that created the Public Prosecutor’s Office, (formerly the Bureau of Investigations and Public Prosecution or BIPP), establishing Saud bin Abdullah bin Mubarak al-Mu’jab as its head attorney general. The decrees directed the newly named agency to report directly to the king (rather than the Ministry of Interior, to which the BIPP had reported). Officials stated these changes would increase the independence and effectiveness of the lead prosecutorial office.

According to the law of criminal procedure, “no person shall be arrested, searched, detained, or imprisoned except in cases provided by law, and any accused person shall have the right to seek the assistance of a lawyer or a representative to defend him during the investigation and trial stages.” By law authorities may summon any person for investigation and may issue an arrest warrant based on evidence. In practice authorities frequently did not use warrants, and warrants were not required under the law in all cases.

The law requires authorities to file charges within 72 hours of arrest and hold a trial within six months, subject to exceptions specified by amendments to the law of criminal procedure and the counterterrorism law (see section 2.a.). Authorities may not legally detain a person under arrest for more than 24 hours, except pursuant to a written order from a public investigator. Authorities reportedly often failed to observe these legal protections, and there was no requirement to advise suspects of their rights. There were also reports that authorities did not allow legal counsel access to detainees who were under investigation in pretrial detention. Judicial proceedings begin after authorities complete a full investigation, which in some cases took years.
The law of criminal procedure specifies procedures required for extending the detention period of an accused person beyond the initial five days. Authorities may approve official detentions in excess of six months in “exceptional circumstances,” effectively allowing individuals to be held in pretrial detention indefinitely. Authorities may also extend from three months to six months the deadline for the PPO to gather evidence against the accused and issue a warrant for the defendant’s arrest, summons, or detention.

There is a functioning bail system for less serious criminal charges. Detainees generally did not have the right to obtain a lawyer of their choice. The government provided lawyers to defendants who made a formal application to the Ministry of Justice to receive a court-appointed lawyer and prove their inability to pay for their legal representation. The law contains no provision regarding the right to be informed of the protections guaranteed under the law.

Incommunicado detention was a problem. Authorities reportedly did not always respect a detainee’s right to contact family members following detention, and the counterterrorism law allows the investigatory body to hold a defendant for up to 90 days in detention without access to family members or legal counsel (and the SCC may extend such restrictions beyond this period). Security and some other types of prisoners sometimes remained in prolonged solitary detention before family members or associates received information of their whereabouts, particularly for detainees in Mabahith-run facilities.

**Arbitrary Arrest:** There were reports of arbitrary arrest and detention. During the year authorities detained security suspects, persons who publicly criticized the government, Shia religious leaders, and persons who violated religious standards, without charge.

On January 2, a group of UN human rights experts deplored what they said was “a worrying pattern of widespread and systematic arbitrary arrests and detention” following the arrests of religious figures, writers, journalists, academics, and civic activists, along with members of the banned Saudi Civil and Political Rights Association (ACPRA) since September 2017. The experts denounced the use of the 2014 Counterterrorism Law (as amended in 2017) and other security-related laws against human rights defenders, urging the government to end repression and release those detained for peacefully exercising their rights. In September the SCC opened trials against some of the clerics, academics, and media figures arrested in September 2017. The SCC saw a significant increase in the number of cases and
judicial rulings between September 2017 and March 2018, compared with the same period in the previous 12-month period. On April 22, local media reported an increase of 132 percent in the number of cases referred to the SCC and a 182 percent increase in the number of defendants.

Pretrial Detention: Lengthy pretrial detention was a problem.

In August 2017 the PPO found during inspections of prisons and detention centers across the country that more than 2,000 individuals remained in detention without charge or trial since 2014. The attorney general ordered the cases immediately examined, and the majority of detainees were reportedly released on bail. The attorney general also asked the courts to find an appropriate legal remedy for the affected individuals.

Nonetheless, in a May 6 statement, HRW noted that authorities had detained thousands of persons for more than six months, in some cases for more than a decade, without referring them to courts for criminal proceedings, and that the number held for excessively long periods had apparently increased dramatically in recent years.

There was no current information available on the percentage of the prison population in pretrial detention or the average length of time held. Local human rights activists and diplomatic representatives reportedly received regular reports from families claiming authorities held their relatives arbitrarily or without notification of charges.

During the year the SSP stated it had detained numerous individuals for terrorist acts. On May 9, local media reported there were 5,342 detainees in five intelligence prisons across the country, of whom 83 percent were Saudis.

Detainee’s Ability to Challenge Lawfulness of Detention before a Court: Under the law detainees are not entitled to challenge the lawfulness of their detention before a court. In the case of wrongful detention, the law of criminal procedure, as well as provisions of the counterterrorism law, provide for the right to compensation if detainees are found to have been held unlawfully.

Amnesty: The law of criminal procedure stipulates that the king may issue a pardon “on pardonable matters” for public crimes only. The law of criminal procedure also states that a victim’s heirs may grant a pardon for private crimes. The Ministry of Interior publishes the conditions for royal pardons annually, and
these generally exclude specific crime categories such as murder or drug smuggling, or those convicted of crimes involving state security. Under the country’s interpretation of sharia, there are three broad categories of offenses: (1) haddud or “boundary” crimes, which are explicitly enumerated in the Quran and whose corresponding punishments are also prescribed; these are considered crimes against God and thus not pardonable; (2) qisas or “legal retribution crimes,” which involve murder or intentional bodily harm and give the victim’s family or legal heirs the private right to legal retribution; the victim’s family or legal heirs may grant a pardon in exchange for financial compensation (diya or “blood money”); and (3) crimes that do not reach the level of haddud or qisas and which are left to the discretion of the state (judge). Ta’zir or “discretionary” punishments are issued for crimes against public rights; this is the most frequently used basis for conviction.

The king continued the tradition of commuting some judicial punishments. Royal pardons sometimes set aside a conviction and sometimes reduced or eliminated corporal punishment. The remaining sentence could be added to a new sentence if the pardoned prisoner committed a crime subsequent to release.

Authorities did not detain some individuals who had received prison sentences. The counterterrorism law allows the PPO to stop proceedings against an individual who cooperates with investigations or helps thwart a planned terrorist attack. The law authorizes the SSP to release individuals already convicted.

e. Denial of Fair Public Trial

The law provides that judges are independent and not subject to any authority other than the provisions of sharia and the laws in force. Nevertheless, the judiciary, PPO, and SSP were not independent entities, as they were required to coordinate their decisions with executive authorities, with the king and crown prince as arbiters. Although public allegations of interference with judicial independence were rare, the judiciary reportedly was subject to influence, particularly in the case of legal decisions rendered by specialized judicial bodies, such as the SCC, which rarely acquitted suspects. Human rights activists reported that SCC judges received implicit instructions to issue harsh sentences against human rights activists, reformers, journalists, and dissidents not engaged in violent activities. Activists also reported that judicial and prosecutorial authorities ignored due process-related complaints, including lack of access by lawyers to their clients at critical stages of the judicial process, particularly during the pretrial/investigation phase.
Trial Procedures

In the judicial system, there traditionally was no published case law on criminal matters, no uniform criminal code, no presumption of innocence, and no doctrine of stare decisis that binds judges to follow legal precedent. The Justice Ministry is expanding a project first started in 2007 to encapsulate and distribute model judicial decisions to ensure more uniformity of legal application. The law states that defendants should be treated equally in accordance with sharia. The Council of Senior Scholars (CSS), or the ulema, an autonomous advisory body, issues religious opinions (fatwas) that guide how judges interpret sharia.

In the absence of a formalized penal code that details all criminal offenses and punishments, judges in the courts determine many of these penalties through their interpretations of sharia, which varied according to the judge and the circumstances of the case. Because judges have considerable discretion in decision making, rulings and sentences diverged widely from case to case.

Several laws, however, provide sentencing requirements for crimes including terrorism, cybercrimes, trafficking in persons, and domestic abuse. In 2016 the Ministry of Justice issued its first compilation of previous decisions that judges could refer to as a point of reference in making rulings and assigning sentences.

Appeals courts cannot independently reverse lower court judgments; they are limited to affirming judgments or returning them to a lower court for modification. Even when judges did not affirm judgments, appeals judges in some cases remanded the judgment to the judge who originally authored the opinion. This procedure sometimes made it difficult for parties to receive a ruling that differed from the original judgment in cases where judges hesitated to admit error. While judges may base their decisions on any of the four Sunni schools of jurisprudence, all of which are represented in the CSS, the Hanbali school predominates and forms the basis for the country’s law and legal interpretations of sharia. Shia citizens use their legal traditions to adjudicate family law cases between Shia parties, although either party can decide to adjudicate a case in state courts, which apply Sunni legal traditions.

While the law states that court hearings shall be public, courts may be closed at the judge’s discretion. As a result, many trials during the year were closed. Through mid-October foreign diplomatic missions were able to obtain permission to attend some nonconsular court proceedings (cases to which neither the host country nor
any of its nationals were a party; diplomatic missions are generally allowed to attend consular proceedings of their own nationals). To attend, authorities required diplomats to obtain advance written approval from the Ministry of Foreign Affairs. In October, however, the Ministry of Foreign Affairs suspended diplomatic access to court proceedings. Authorities sometimes did not permit entry to such trials to individuals other than diplomats who were not the legal agents or family members of the accused. SCC officials sometimes banned female relatives or diplomats from attending due to the absence of women officers to conduct security inspections of the women upon entry to the courtroom. According to the Ministry of Justice, authorities may close a trial depending on the sensitivity of the case to national security, the reputation of the defendant, or the safety of witnesses. Representatives of the HRC sometimes attended trials at the SCC.

Amendments to the law of criminal procedure in 2013 strengthened provisions stating that authorities will offer defendants a lawyer at government expense. In August 2017 the Ministry of Justice stated that defendants “enjoy all judicial guarantees they are entitled to, including the right to seek the assistance of lawyers of their choosing to defend them, while the ministry pays the lawyer’s fees when the accused is not able to settle them.” Activists, however, reported the process for applying for a court-appointed lawyer was difficult and cumbersome. Many said they were not able or allowed to retain an attorney or consult with their attorneys during critical stages of the investigatory and trial proceedings. Detained human rights activists often did not trust the courts to appoint lawyers for them due to concerns of lawyer bias.

The law provides defendants the right to be present at trial and to consult with an attorney during the trial. The counterterrorism law, however, authorizes the attorney general to limit the right of defendants accused of terrorism to access legal representation while under investigation “whenever the interests of the investigation so require.” There is no right to discovery, nor can defendants view their own file or the minutes from their interrogation. Defendants have the right to call and cross-examine witnesses under the law; however, activists reported SCC judges could decide to restrict this right in “the interests of the case.” The law provides that a PPO-appointed investigator questions the witnesses called by the defendant during the investigation phase before the initiation of a trial. The investigator may also hear testimony of additional witnesses he deems necessary to determine the facts. Authorities may not subject a defendant to any coercive measures or compel the taking of an oath. The court must inform convicted persons of their right to appeal rulings.
The law does not provide for a right against self-incrimination.

The law does not provide free interpretation services, although services were often provided in practice. The law of criminal procedure provides that “the court should seek the assistance of interpreters,” but it does not obligate the court to do so from the moment the defendant is charged, nor does the law specify that the state will bear the costs of such services.

While sharia as interpreted by the government applies to all citizens and noncitizens, the law in practice discriminates against women, noncitizens, nonpracticing Sunni, Shia, and persons of other religions. Although exceptions exist, a woman’s testimony before a court counts as only half that of a man’s. Judges may discount the testimony of nonpracticing Sunni Muslims, Shia Muslims, or persons of other religions; sources reported judges sometimes completely disregarded or refused to hear testimony by Shia.

Political Prisoners and Detainees

The government maintained there were no political prisoners, including detainees who reportedly remained in prolonged detention without charge, while local activists and human rights organizations claimed there were “hundreds” or “thousands.” Credible reporting by advocacy groups and press suggested that authorities detained persons for peaceful activism or political opposition, including nonviolent religious figures, imams deemed to have strayed from the official religious line, Shia activists, women’s rights defenders, other activists, and bloggers who the government claimed posted offensive or antigovernment comments on websites.

In many cases it was impossible to determine the legal basis for incarceration and whether the detention complied with international norms and standards. Those who remained imprisoned after trial, including persons who were political activists openly critical of the government, were often convicted of terrorism-related crimes. During the year the SCC tried political and human rights activists for nonviolent actions unrelated to terrorism, violence, or espionage against the state.

International NGOs, the United Nations, and others criticized the government for abusing its antiterrorism prerogatives to detain or arrest some dissidents or critics of the government or royal family on security-related grounds who had not espoused or committed violence. Authorities restricted attorneys’ access to all detainees, and no international humanitarian organizations had access to them.
On May 25, authorities arrested ACPRA founding member Mohammed al-Bajadi, along with almost a dozen women rights defenders, some of whom were later released. Al-Bajadi was previously released from prison in 2016 after serving a four-year prison sentence on charges stemming from his work with ACPRA. Among other rights defenders arrested in May was lawyer Ibrahim al-Mudaimeegh, who previously represented activists including Waleed Abu al-Khair and Lujain al-Hathloul. Al-Mudaimeegh was reportedly released on December 21.

At least 120 persons remained in detention for activism, criticism of government leaders, impugning Islam or religious leaders, or “offensive” internet postings, including prominent activists such as Aziza al-Yousef, Eman al-Nafjan, Hatoon al-Fassi, Raif Badawi, Mohammed al-Qahtani, Loujain al-Hathloul, and Samar Badawi, and clerics including former Grand Mosque Imam Salih al-Talib, Sahwa movement figures Safar al-Hawali, Nasser al-Omar, and others.

Civil Judicial Procedures and Remedies

Complainants claiming human rights violations generally sought assistance from the HRC or the NSHR, which either advocated on their behalf or provided courts with opinions on their cases. The HRC generally responded to complaints and could refer cases to the PPO; domestic violence cases were the most common. Individuals or organizations may petition directly for damages or government action to end human rights violations before the Board of Grievances, except in compensation cases related to state security, where the SCC handles remediation. The counterterrorism law contains a provision allowing detainees in Mabahith-run prisons to request financial compensation from the Ministry of Interior/SSP for wrongful detention beyond their prison terms. In some cases the government did not carry out judicially ordered compensation for unlawful detentions in a timely manner.

In August 2017 the Ministry of Justice issued a press release stating that “…the accused enjoy all judicial guarantees they are entitled to, including the right to seek the assistance of lawyers of their choosing to defend them, while the Ministry [of Justice] pays the lawyer’s fees when the accused is not able to settle them.” Security detainees held in accordance with the 2017 Counterterrorism Law are entitled “to seek the assistance of a lawyer or legal agent,” but the Public Prosecutor may restrict this right during the investigation “whenever the interests of the investigation so require.” The United Nations and international NGOs
reported security detainees were denied access to legal counsel during pretrial detention during the year.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits unlawful intrusions into the privacy of persons, their homes, places of work, and vehicles. Criminal investigation officers are required to maintain records of all searches conducted; these records should contain the name of the officer conducting the search, the text of the search warrant (or an explanation of the urgency that necessitated the search without a warrant), and the names and signatures of the persons who were present at the time of search. While the law also provides for the privacy of all mail, telegrams, telephone conversations, and other means of communication, the government did not respect the privacy of correspondence or communications and used the considerable latitude provided by law to monitor activities legally and intervene where it deemed necessary.

There were reports from human rights activists of governmental monitoring or blocking of mobile telephone or internet usage. The government strictly monitored politically related activities and took punitive actions, including arrest and detention, against persons engaged in certain political activities, such as calling for a constitutional monarchy, publicly criticizing senior members of the royal family by name, forming a political party, or organizing a demonstration (see section 2.a.). Customs officials reportedly routinely opened mail and shipments to search for contraband. In some areas Ministry of Interior/SSP informants allegedly reported “seditious ideas,” “antigovernment activity,” or “behavior contrary to Islam” in their neighborhoods.

The 2017 Counterterrorism Law allows the Ministry of Interior/SSP to access a terrorism suspect’s private communications as well as banking information in a manner inconsistent with the legal protections provided by the law of criminal procedure.

The CPVPV monitored and regulated public interaction between members of the opposite sex, though in practice CPVPV authorities were greatly curtailed and mixed-gender events this year.

g. Abuses in Internal Conflict
In 2015 Saudi officials announced the formation of a coalition to counter the 2014 attempted overthrow of the Yemeni government by militias of the Ansar Allah movement (also known colloquially as “Houthis”) and forces loyal to former Yemeni president Ali Abdullah Saleh. Membership in the coalition included the United Arab Emirates, Bahrain, Egypt, Jordan, Kuwait, Morocco, Somalia, Sudan, and Senegal. The Saudi-led coalition continued conducting air and ground operations in Yemen, actions initiated in 2015.

**Killings:** The United Nations, NGOs, media, and humanitarian and other international organizations reported what they characterized as disproportionate use of force by all parties to the conflict in Yemen, including the Saudi-led coalition and Houthi rebels. The UN High Commissioner for Human Rights stated that between March 26, 2015, and August 9, 2018, an estimated 6,592 civilians had been killed, including more than 1,200 children, and 10,470 injured as result of the war in Yemen.

Saudi-led coalition airstrikes reportedly resulted in civilian casualties and damage to infrastructure on multiple occasions. According to NGO and press reports, two coalition airstrikes on August 9 and August 23 led to more than 70 civilian deaths, many of whom were children.

The government established the Joint Incidents Assessment Team (JIAT) in 2016 to identify lessons and corrective actions and to implement national accountability mechanisms, as appropriate. The Riyadh-based group consisted of military and civilian members from coalition member states who investigated allegations of civilian casualties as well as claims by international organizations that humanitarian aid convoys and infrastructure were targeted by the coalition.

On September 1, JIAT spokesperson Mansour Ahmed al-Mansour stated the August 9 attack on Dahyan market in Saada was “unjustified.” JIAT findings admitted “mistakes” were made and recommended individuals be held accountable; however, no official actions against those individuals were known to have occurred. The JIAT publicly announced the results of numerous investigations during the year, largely absolving the coalition of responsibility in civilian deaths in the incidents reviewed.

On July 10, King Salman issued a royal pardon for all Saudi soldiers deployed in Yemen, lifting any “military and disciplinary” penalties for “military men” taking part in “Operation Restoring Hope.” This pardon does not apply, however, to
crimes against international humanitarian law, according to coalition spokesperson Turki al-Malki.

Other Conflict-related Abuse: Yemeni rebels conducted cross-border attacks into Saudi Arabia, including launching more than 66,000 projectiles into Saudi territory since 2015, which reportedly destroyed hospitals, schools, homes, and other infrastructure and killed at least eight Saudis. In November 2017 Houthi militias launched ballistic missiles from Yemen that reached Riyadh. In its initial response, the Saudi-led coalition blocked all imports, including humanitarian aid, at all Yemeni air and seaports and land border crossings. On November 25, 2017, the coalition began opening some ports and all land border crossings to allow access to aid supplies. In December 2017 the coalition announced it would allow the entry of ships carrying humanitarian and commercial cargo, including food and fuel vessels, to the key rebel-held port of Hudaydah. Subsequently, the coalition sought to minimize disruptions of humanitarian assistance delivery through improved coordination with donor organizations via its Evacuation and Humanitarian Operations Committee. Commercial imports, however, had not improved to preblockade levels as of year’s end, due to low shipper confidence about the ports remaining open and insecurity in the area. In addition, Sana’a International Airport remained closed throughout the year to commercial traffic.

For additional details, including additional information on the Saudi-led coalition’s operations in Yemen, see the Department of State’s Country Reports on Human Rights for Yemen.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The law does not provide for freedom of expression, including for the press. The Basic Law specifies, “Mass media and all other vehicles of expression shall employ civil and polite language, contribute towards the education of the nation, and strengthen unity. The media are prohibited from committing acts that lead to disorder and division, affect the security of the state or its public relations, or undermine human dignity and rights.” Authorities are responsible for regulating and determining which speech or expression undermines internal security. The government can ban or suspend media outlets if it concludes they violated the press and publications law, and it monitored and blocked hundreds of thousands of internet sites. There were frequent reports of restrictions on free speech.
The legal definition of terrorism, according to the 2017 counterterrorism law, includes “any conduct…intended to disturb public order…or destabilize the state or endanger its national unity.” The law also penalizes “anyone who challenges, either directly or indirectly, the religion or justice of the King or Crown Prince…or anyone who establishes or uses a website or computer program…to commit any of the offenses set out in the law.” Local human rights activists, international human rights organizations, and the UN special rapporteur on human rights and counterterrorism criticized the counterterrorism law for its overly broad and vague definitions of terrorism and complained the government used it to prosecute peaceful expression and dissent.

Freedom of Expression: The government monitored public expressions of opinion and took advantage of legal controls to impede the free expression of opinion and restrict individuals from engaging in public criticism of the political sphere. The law forbids apostasy and blasphemy, which can carry the death penalty, although there were no recent instances of death sentences being carried out for these crimes (see section 1.a.). Statements that authorities construed as constituting defamation of the king, monarchy, governing system, or Al Saud family resulted in criminal charges for citizens advocating government reform. The government prohibited public employees from directly or indirectly engaging in dialogue with local or foreign media or participating in any meetings intended to oppose state policies.

Some human rights activists were detained and then released on the condition that they refrain from using social media for activism, communicating with foreign diplomats and international human rights organizations, and traveling outside the country, according to human rights organizations.

The government charged a number of individuals with crimes related to their exercise of free speech during the year.

From May 15 to year’s end, authorities arrested at least 30 prominent women activists and their male supporters and imposed travel bans on others, in connection with their advocacy for lifting the ban on women driving. Those arrested included some of the women who first defied the driving ban in 1990, as well as others who expressed solidarity with detained activists. At least 12 persons remained in detention “after sufficient evidence was made available and for their confessions of charges attributed to them.” In a June 2 statement, the public prosecutor stated the detainees had admitted to communicating and cooperating with individuals and organizations opposed to the kingdom, recruiting persons to get secret information to hurt the country’s interests, and offering material and

In August authorities arrested Mecca Grand Mosque Imam Sheikh Salih al-Talib. In his last Friday sermon on July 13, Al-Talib discussed the duty in Islam to speak out against evil in public. Al-Talib was the first imam of the Two Holy Mosques in Mecca and Medina to be detained.

In September the SCC opened trials against clerics, academics, and media persons for alleged association with the Muslim Brotherhood, including prominent Muslim scholars Salman al-Odah, Awad al-Qarni, and Ali al-Omari. The three were arrested in September 2017, and the public prosecutor was reportedly seeking the death penalty against them. The public prosecutor brought 37 charges against al-Odah, the vast majority of which alleged ties with the Muslim Brotherhood and Qatari government, in addition to his public support for imprisoned dissidents. None referred to specific acts of violence or incitement to acts of violence, according to a HRW statement on September 12. The 30 charges against al-Omari included “forming a youth organization to carry out the objectives of a terrorist group inside the Kingdom.”

Press and Media Freedom: The Press and Publications Law governs printed materials; printing presses; bookstores; the import, rental, and sale of films; television and radio; foreign media offices and their correspondents; and online newspapers and journals. Media fall under the jurisdiction of the Ministry of Information. The ministry may permanently close “whenever necessary” any means of communication--defined as any means of expressing a viewpoint that is meant for circulation--that it deems is engaged in a prohibited activity, as set forth in the law.

Media policy statements urged journalists to uphold Islam, oppose atheism, promote Arab interests, and preserve cultural heritage. In 2011 a royal decree amended the press law to strengthen penalties, create a special commission to judge violations, and require all online newspapers and bloggers to obtain a license from the ministry. The decree bans publishing anything “contradicting sharia, inciting disruption, serving foreign interests that contradict national interests, and damaging the reputation of the grand mufti, members of the Council of Senior Religious Scholars, or senior government officials.”
The law states that violators can face fines up to 50,000 riyals ($13,300) for each violation of the law, which doubles if the violation is repeated. Other penalties include banning individuals from writing. While the Violations Considerations Committee in the Ministry of Information has formal responsibility for implementing the law, the Ministry of Interior, the CPVPV, and sharia court judges considered these issues regularly and exercised wide discretion in interpreting the law. It was unclear which process accords with the law.

On July 12, authorities arrested influential religious scholar and Sahwa (Awakening) movement figure Safar al-Hawali, four of his sons, and his brother after al-Hawali reportedly published a book criticizing the Saudi royal family and the country’s foreign policy.

Although unlicensed satellite dishes were illegal, the government did not enforce restrictions on them, and their use was widespread. Many foreign satellite stations broadcast a wide range of programs into the country in Arabic and other languages, including foreign news channels. Access to foreign sources of information, including via satellite dishes and the internet, was common. Foreign media were subject to licensing requirements from the Ministry of Information and could not operate freely. Privately owned satellite television networks, headquartered outside the country, maintained local offices and operated under a system of self-censorship.

On February 19, the Ministry of Culture and Information banned writer Muhammad al-Suhaimi from writing and taking part in any media activity, and referred him to an investigation committee for criticizing the Muslim call to prayer (adhan) and calling for reducing the number of mosques. Speaking to the MBC TV channel, al-Suhaimi had criticized the volume of the call to prayer, calling it a nuisance.

Violence and Harassment: Authorities subjected journalists, writers, and bloggers to arrest, imprisonment, and harassment during the year.

Throughout the year NGOs, academics, and the press reported on the government’s targeting of dissidents using automated social media accounts to ensure that progovernment messages dominate social media trend lists and effectively silence dissenting voices. Automated account activity was reportedly accompanied by online harassment by progovernment accounts in some instances. Dissidents with large social media followings were targeted for offline harassment and surveillance as well.
On February 8, the SCC sentenced prominent newspaper columnist Saleh al-Shehi to five years in prison, followed by a five-year travel ban, for insulting the royal court and its employees. Al-Shehi was reportedly arrested on January 3 after a televised appearance on the privately owned Rotana Khalejia channel in which he accused the royal court of being “one of the institutions that reinforced corruption” in the country, citing examples such as granting plots of land to citizens based on personal connections.

Censorship or Content Restrictions: The government reportedly penalized those who published items counter to government guidelines and directly or indirectly censored the media by licensing domestic media and by controlling importation of foreign printed material.

All newspapers, blogs, and websites in the country must be government-licensed. The Ministry of Information must approve the appointment of all senior editors and has authority to remove them. The government provided guidelines to newspapers regarding controversial issues. The Saudi Press Agency reported official government news. The government owned most print and broadcast media and book publication facilities in the country, and members of the royal family owned or influenced privately owned and nominally independent operations, including various media outlets and widely circulated pan-Arab newspapers published outside the country. Authorities prevented or delayed the distribution of foreign print media covering issues considered sensitive, effectively censoring these publications.

The government censored published material it considered blasphemous, extremist, racist, or offensive, or as inciting chaos, violence, sectarianism, or harm to the public order. In June 2017 the PPO stated that producing and promoting “rumors that affect the public order” was a crime under the anti-cybercrimes law and punishable by up to five years in prison, a fine of three million riyals ($800,000), or both. On June 13, 2018, the PPO warned against sending, producing, or storing any material that stirs up tribalism and fanaticism, and harms public order, which is also punishable by the above penalties.

In some cases, however, individuals criticized specific government bodies or actions publicly without repercussions. The Consultative Council (Majlis ash-Shura), an advisory body, frequently allowed print and broadcast media to observe its proceedings and meetings, but the council closed some high-profile or controversial sessions to the media.
Libel/Slander Laws: There were numerous reports during the year of the government using libel laws to suppress publication of material that criticized policies or public officials.

The anti-cybercrimes law provides for a maximum penalty of one year’s imprisonment for “defamation and infliction of damage upon others through the use of various information technology devices.” In 2014 the law was amended to include social media and social networks.

On May 30, the SCC in Riyadh sentenced academic and media professional Mohammed al-Hudaif to five years in prison, followed by a five-year travel and social media ban, and ordered his Twitter account shut down. Al-Hudaif was convicted of “insulting neighboring states” following a comment he wrote about the visit of the former Egyptian justice minister, Ahmed al-Zind, to the UAE. The government deemed Hudaif’s tweet insulting to both the Egyptian and Emirati authorities. He was convicted of destroying national cohesion, publishing writings hostile to state policy, and communicating with members of bodies hostile to the state (the Muslim Brotherhood), according to Al-Qst rights group.

On September 3, the public prosecutor warned that producing and distributing content that ridicules, mocks, provokes, and disrupts public order, religious values and public morals through social media would be considered a cybercrime punishable by a maximum of five years in prison and a fine of three million riyals ($800,000).

National Security: Authorities used the anti-cybercrimes law and the counterterrorism law to restrict freedom of expression, including by prosecuting numerous individuals under these laws on charges related to statements made on social media.

Internet Freedom

The Ministry of Information or its agencies must authorize all websites registered and hosted in the country. The General Commission for Audiovisual Media has responsibility for regulating all audio and video content in the country, including satellite channels, film, music, internet, and mobile applications, independent from the Ministry of Commerce and Industry. Internet access was widely available, and 82 percent of the population used the internet in 2017, according to International Telecommunication Union data.
The press and publications law implicitly covers electronic media, since it extends to any means of expression of a viewpoint meant for circulation, ranging from words to cartoons, photographs, and sounds. In 2011 the government issued implementing regulations for electronic publishing that set rules for internet-based and other electronic media, including chat rooms, personal blogs, and text messages. On May 27, then information minister Awwad bin Saleh al-Awwad approved the executive regulations for types and forms of electronic publishing activities. The list consists of 17 items defining the mechanisms of dealing with electronic publishing activities, classifications, and ways of obtaining the appropriate regulatory licenses to carry out the required activities. Laws, including the anti-cybercrimes law, criminalize defamation on the internet, hacking, unauthorized access to government websites, and stealing information related to national security, as well as the creation or dissemination of a website for a terrorist organization. Security authorities actively monitored internet activity, both to enforce laws, regulations, and societal norms and to monitor recruitment efforts by extremist organizations such as ISIS. Activists complained of monitoring or attempted monitoring of their communications on web-based communications applications.

Access to the internet is legally available only through government-authorized internet service providers. The government required internet service providers to monitor customers and required internet cafes to install hidden cameras and provide identity records of customers. Although authorities blocked websites offering proxies, persistent internet users accessed the unfiltered internet via other means.

On a number of occasions, government officials and senior clerics publicly warned against inaccurate reports on the internet and reminded the public that criticism of the government and its officials should be done through available private channels. The government charged those using the internet to express dissent against officials or religious authorities with terrorism, blasphemy, and apostasy.

On February 12, the SCC in the western city of Tabuk held the first hearing for student and activist Noha al-Balawi. Al-Balawi was detained on January 23 after posting a video online in which she criticized the country’s potential normalization of ties with Israel. According to the United Kingdom-based Saudi rights group Al-Qst, Balawi was charged under anti-cybercrime laws and faced up to five years in prison and a fine of up to three million riyals ($800,000). On February 22,
On February 27, the SCC convicted computer engineer Essam Koshak of posting tweets that “infringe on public order and religious values” and sentenced him to four years in prison followed by a four-year ban on travel and social media usage. According to multiple NGOs, Koshak tweeted in support of the 2017 social media campaign #EndMaleGuardianship, organized by HRW. According to court documents and trial observations, the prosecution charged Koshak with creating the #EndMaleGuardianship social media campaign and, in so doing, undermining public order and “violating freedom of expression.”

The press and publications law criminalizes the publication or downloading of offensive sites, and authorities routinely blocked sites containing material perceived as harmful, illegal, offensive, or anti-Islamic. The governmental Communications and Information Technology Commission (CITC) filtered and blocked access to websites it deemed offensive, including adult content, as well as pages calling for domestic political, social, or economic reforms or supporting human rights, including websites of expatriate Saudi dissidents.

The CITC coordinated decisions with the Saudi Arabian Monetary Agency on blocking phishing sites seeking to obtain confidential personal or financial information. Authorities submitted all other requests to block sites to an interagency committee, chaired by the Ministry of Interior, for decision. Under the Telecommunication Act, failure by service providers to block banned sites can result in a fine of five million riyals ($1.33 million).

The CITC claimed that Facebook removed materials that the CITC deemed offensive but that Twitter ignored all CITC requests. In 2016 the CITC announced it was no longer blocking any free voice, video, or messaging services after criticisms on social media that these services had been blocked. In September 2017 the CITC announced the unblocking of calling features for private messenger apps that met regulatory requirements in the country, such as Facebook Messenger, FaceTime, Snapchat, Skype, Line, Telegram, and Tango. Other video-calling apps, including WhatsApp and Viber, however, reported services were still blocked.

The government continued blocking Qatari websites such as al-Jazeera, an action it began in May 2017, due to a dispute between Qatar and a group of countries that included Saudi Arabia.
In June 2017 Ministry of Information spokesperson Hani al-Ghofaily stated that writing for blocked websites, providing them with materials to publish, or promoting alternative addresses to access them is a crime under the anti-cybercrimes law.

The government reportedly collected information concerning the identity of persons peacefully expressing political, religious, or ideological opinions or beliefs online.

**Academic Freedom and Cultural Events**

The government restricted some public artistic expression but opened up cultural expression in a number of areas. Academics reportedly practiced self-censorship, and authorities prohibited professors and administrators at public universities from hosting meetings at their universities with foreign academics or diplomats without prior government permission. In 2016 King Salman issued royal decrees creating the General Authority for Entertainment (GEA) and the General Authority for Culture, with a mandate to expand the country’s entertainment and cultural offerings in line with its social and economic reform plan, known as Vision 2030. During the year the GEA sponsored events dedicated to film, comics, music, and dance. On June 2, King Salman issued a royal order creating the Ministry of Culture, separating it from the Information Ministry, and appointed Prince Badr bin Abdullah bin Mohammed bin Farhan Al Saud as its minister. On April 18, the country’s first cinema in more than 35 years opened after a ban was lifted in 2017. AMC Entertainment was granted the first license to operate cinemas in the country and was expected to open more theaters over the next five years, according to state media.

**b. Freedoms of Peaceful Assembly and Association**

The law does not provide for freedom of assembly and association, which the government severely limited.

**Freedom of Peaceful Assembly**

The law requires a government permit for an organized public assembly of any type. The government categorically forbids participation in political protests or unauthorized public assemblies, and security forces reportedly arrested...
demonstrators and detained them for brief periods. Security forces at times allowed a small number of unauthorized demonstrations throughout the country.

On March 27, security forces arrested 32 citizens and referred them to the public prosecutor for illegally gathering in front of Taif governorate headquarters to protest the removal of unlicensed housing structures built on government land, according to the Ministry of Interior.

CPVPV and other security officers also restricted mixed gender gatherings of unrelated men and women in public and private spaces (see section 1.f.).

**Freedom of Association**

The law provided for limited freedom of association, however, the government strictly limited this right. In 2016 a law came into effect known as the Law on Associations and Foundations (Civil Society Organizations Law), which for the first time provided a comprehensive legal framework to govern the establishment, operation, and supervision of associations and foundations. The government, however, prohibited the establishment of political parties or any group it considered as opposing or challenging the regime. All associations must be licensed by the Ministry of Labor and Social Development and comply with its regulations. Some groups that advocated changing elements of the social or political order reported their licensing requests went unanswered for years, despite repeated inquiries. The ministry reportedly used arbitrary means, such as requiring unreasonable types and quantities of information, to delay and effectively deny licenses to associations.

On January 25, the SCC sentenced Mohammad al-Otaiby and Abdullah al-Attawi, founding members of the Union for Human Rights (known in Arabic as “al-Ittihad”) to 14 and seven years in prison, respectively, for “participating in setting up an organization and announcing it before getting an authorization,” “spreading chaos, inciting public opinion and publishing statements harmful to the kingdom and its institutions,” and “publishing information about their interrogations despite signing pledges to refrain from doing so,” according to media and NGO reporting.

In 2013 and 2014, the few local NGOs that had operated without a license ceased operating after authorities ordered them disbanded. While ACPRA maintained a presence on social media networks such as Twitter, the government severely curtailed its operations and closed down its website. On February 28, the SCC sentenced lawyer and ACPRA member Issa al-Nukheifi to six years in prison.
(three years under the anti-cybercrimes law and three years under *ta’zir*, or “discretionary” sentencing), followed by a six-year ban on social media and travel outside of the country, based on charges of “infringing on the public order and religious values,” “communicating with members of ACPRA,” “opposing Saudi Arabia’s intervention in Yemen,” and related charges. Al-Nukheifi was detained in 2016 and charged in August 2017 under provisions of both the 2014 Counterterrorism Law and the 2008 Anti-Cybercrimes Law.

Government-chartered associations limited membership only to citizens.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

d. Freedom of Movement

The law does not contain provisions for freedom of internal movement, foreign travel, emigration, and repatriation.

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

**In-country Movement:** The government generally did not restrict the free movement of male citizens within the country, but it severely restricted the movement of female citizens. While the guardianship system does not require a woman to have the permission of her male guardian (normally a father, husband, son, brother, grandfather, uncle, or other male relative) to move freely within the country, courts sometimes ruled that women should abide by a male guardian’s request to stay at home by “occasionally upholding a guardian’s right to obedience from his female dependents,” according to a HRW report.

In April 2017 King Salman issued a royal decree ordering all government agencies to review their guardianship laws and to provide, within three months, their understanding of the legal basis for withholding services to women. The stated goal was to avoid denying government services to women who do not present a male guardian’s consent except when law or regulations explicitly require it. At
year’s end the results of the government’s review of its guardianship laws had not been announced.

Authorities respected the right of citizens to change residence or workplace, provided they held a national identification card (NIC). The law requires all male citizens who are 15 or older to possess a NIC. In 2012 the Ministry of Interior announced it would start issuing NICs to all female citizens at the age of 15, phasing in the requirement over a seven-year period. There was minimal information available regarding whether this initiative was successfully implemented.

On June 24, the country lifted its longstanding ban on women driving. The process of issuing licenses, however, was slowed by the small number of training schools available to women and the high cost of driver’s education for women, which was four to five times as expensive as men’s fees. As a result, there were waiting lists for driving classes.

**Foreign Travel:** There are severe restrictions on foreign travel, including for women and members of minority groups. No one may leave the country without an exit visa and a passport. Females of any age, males younger than 21, and other dependents or foreign citizen workers under sponsorship require a male guardian’s consent to travel abroad. According to Ministry of Interior regulations, a male guardian must apply for and collect a passport for women and minors. A noncitizen wife needs permission from her husband to travel, unless both partners sign a prenuptial agreement permitting the noncitizen wife to travel without the husband’s permission. If a wife’s guardian is deceased, a court may grant the permission. Government entities can ban the travel of citizens and noncitizens without trial, and male family members can “blacklist” women and minor children, prohibiting their travel. In December the General Directorate of Passports announced that divorced Saudi women older than 21 who possess a NIC with at least three months’ validity may travel to other Gulf Cooperation Council member states (Bahrain, Kuwait, Oman, Qatar, and the United Arab Emirates) without the consent of a male guardian.

Employers or sponsors controlled the departure of foreign workers and residents from the country; employers or sponsors were responsible for processing residence permits and exit visas on their behalf. Sponsors frequently held their employees’ passports against the desires of the employees, despite a law specifically prohibiting this practice. Foreign workers typically provided sponsors with their
residence permit before traveling in exchange for their passport to ensure the worker’s return to their employer after their travel.

The government reportedly confiscated passports for political reasons and revoked the rights of some citizens to travel, often without providing them notification or opportunity to contest the restriction. Most travel bans reportedly involved individuals in court cases relating to corruption; state security concerns; or labor, financial, and real estate disputes. Many relatives of citizens detained in relation to the government’s anticorruption campaign, as well as relatives of detained clerics and human rights activists, were also reportedly under travel bans.

**Protection of Refugees**

**Access to Asylum:** The law provides that the “state will grant political asylum if public interest so dictates.” There are no regulations implementing this provision. The government permitted UNHCR-recognized refugees to stay in the country temporarily pending identification of a durable solution, including third-country resettlement or voluntary repatriation. The government generally did not grant asylum or accept refugees for resettlement from third countries. Government policy is to refuse refugee status to persons in the country illegally, including those who have overstayed a pilgrimage visa. The government strongly encouraged persons without residency to leave, and it threatened or imposed deportation. Access to naturalization was difficult for refugees.

The government granted six-month visas to Syrian and Yemeni nationals, and a royal decree allowed pro forma extensions of these visas. On May 9, the International Organization for Migration (IOM) urged the government not to deport Yemeni migrants to war zones, affirming that it expelled 17,000 Yemeni migrants between January and May. An estimated 700,000 Yemeni migrants worked in Saudi Arabia, according to IOM. In April then foreign minister Adel al-Jubeir said that since the start of the Syrian conflict, the country had taken in approximately two and one-half million Syrians and treated them as its own citizens, providing them with free health care, work, and education. He added that Saudi universities and schools had more than 140,000 Syrian students.

The government did not recognize the right of Saudi citizens to petition for access to asylum or refugee status in third countries. In several cases the government prosecuted and penalized Saudi citizens who sought asylum in third countries, according to multiple sources (see section 2.b., Freedom of Association).
Employment: Refugees and asylum seekers were generally unable to work legally, although Syrian and Yemeni nationals who possessed a temporary visa could obtain a visitor card (za’ir) from the Ministry of Interior, which reportedly allows these nationals to work. The renewable permits are valid for up to six months and tied to the validity period of their temporary visas; men between the ages of 18 and 60 were eligible to apply. In September 2017 the General Directorate of Passports allowed Yemeni men to convert their visitor identification card to a residency permit if their Yemeni passport and visitor identification card were valid.

Access to Basic Services: The government reserves access to education, healthcare, public housing, courts and judicial procedures, legal services, and other social services to citizens only. A royal decree issued in 2012 permits all Syrians in Saudi Arabia free access to the educational system, and a separate decree issued in 2015 gives Yemenis in Saudi Arabia free access to schools. The Ministry of Education announced in February that Syrian and Yemeni students holding visitor identification cards were no longer allowed to enroll in public schools and universities and would have to enroll in private ones at their own expense. The UNHCR office in Riyadh provided a subsistence allowance covering basic services to a limited number of vulnerable families, based on a needs assessment. Authorities worked with UNHCR to provide medical treatment, also following a needs assessment.

Stateless Persons

The country had a number of habitual residents who were legally stateless, but data on the stateless population were incomplete and scarce.

Citizenship is legally derived only from the father. Children born to an unmarried citizen mother who is not legally affiliated with the citizen father may be considered stateless, even if the father recognized the child as his, or if the government did not authorize the marriage of a citizen father and a noncitizen mother prior to birth of the children. The nationality laws do not allow Saudi women married to foreign nationals to pass their nationality to their children, except in certain circumstances such as fathers who are unknown, stateless, of unknown nationality, or do not establish filiation. Sons of citizen mothers and noncitizen fathers may apply for citizenship once they turn 18 (if not already granted citizenship at birth under certain circumstances); daughters in such cases can obtain citizenship only through marriage to a Saudi man. A child may lose legal identification and accompanying rights if authorities withdraw identification documents from a parent (possible when a naturalized parent denaturalizes
voluntarily or loses citizenship through other acts). Since there is no codified personal status law, judges make decisions regarding family matters based on their own interpretations of Islamic law.

Foreign male spouses of female citizens are entitled to permanent residency in the country without needing a sponsor, and they receive free government education and medical benefits. These spouses are also included in the quota of Saudis employed in private companies under the nitaaqat, or labor quota system, which improves their employment prospects. Female citizens must be between the ages of 30 and 50 in order to marry a non-Saudi man. Non-Saudi wives of Saudi men receive more rights if they have children resulting from their marriage with a Saudi man. Male citizens must be between the ages of 40 and 65 in order to marry a non-Saudi woman. The extent to which those strictures were enforced was unclear; there was anecdotal evidence that they were not uniformly enforced. Children of Saudi women who are married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother.

In past years UNHCR unofficially estimated there were 70,000 stateless persons in the country, almost all of whom were native-born residents known locally as Bidoon (an Arabic word that means “without” [citizenship]). Updated information on stateless persons was not available. Bidoon are persons whose ancestors failed to obtain nationality, such as descendants of nomadic tribes not counted among the native tribes during the reign of the country’s founder, King Abdulaziz; descendants of foreign-born fathers who arrived before there were laws regulating citizenship; and rural migrants whose parents failed to register their births. As noncitizens, Bidoon are unable to obtain passports. The government sometimes denied them employment and educational opportunities, and their marginalized status made them among the poorest residents of the country. In recent years the Ministry of Education encouraged them to attend school. The government issues Bidoon five-year residency permits to facilitate their social integration in government-provided health-care and other services, putting them on similar footing with sponsored foreign workers. The General Directorate of Passports issued special identification cards to Bidoon similar to residency permits issued to foreigners in the country, but with features entitling their holders to additional government services similar to those available to citizens.

There were also some Baloch, West Africans, and Rohingya Muslims from Burma, but only a small portion of these communities was stateless. Many Rohingya had expired passports that their home government refused to renew, or had entered the country with fraudulent travel documents. UNHCR estimated there were between
250,000 and 500,000 Rohingya in the country. Some of these individuals benefited from a prior program to correct their residency status; in 2014 the government issued nearly 200,000 four-year residency permits to Rohingya who entered the country prior to 2008. Rohingya who arrived in the country after 2008 were not eligible for residency permits, although NGOs reported that Rohingya, including those without legal residency, were generally not subject to deportation prior to 2018. Upon the expiration of Rohingya residency permits in 2018, media reported more than 100 Rohingya faced deportation to Bangladesh at year’s end and hundreds more were in detention at Shumaisi Detention Center near Mecca. Only an estimated 2,000 individuals of Rohingya origin had Saudi citizenship. There also were between 300,000 and 400,000 Palestinian residents not registered as refugees.

Section 3. Freedom to Participate in the Political Process

The law does not provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage; it establishes an absolute monarchy led by the Al Saud family as the political system. The Allegiance Council, composed of up to 34 senior princes appointed by the king, is formally responsible for selecting a king and crown prince upon the death or incapacitation of either. Only select members of the ruling family have a voice in the choice of leaders, the composition of the government, or changes to the political system.

The law provides citizens the right to communicate with public authorities on any matter and establishes the government on the principle of consultation (shura). The king and senior officials, including ministers and regional governors, are required to be available through majlis, open-door meetings where in theory any male citizen or noncitizen may express an opinion or a grievance without an appointment.

Most government ministries and agencies had women’s sections to interact with female citizens and noncitizens, and at least two regional governorates hired female employees to receive women’s petitions and arrange meetings for women with complaints for, or requests of, the governor.

Elections and Political Participation

Recent Elections: In 2015 elections were held for two-thirds of the 3,159 seats on 284 municipal councils; the government appointed the remaining third. Council
members serve four-year terms. Women were allowed to vote and run as candidates for the first time. The voting age was also lowered universally to 18 years. The Ministry of Municipal and Rural Affairs actively encouraged women’s participation in the municipal elections. Election regulations prohibited candidates from contesting under party affiliation. Twenty-one women won seats and 17 were appointed to seats, totaling approximately 1 percent of all available seats.

The NSHR observed the elections, and select international journalists were also permitted to observe. Independent polling station observers identified no irregularities with the election. Prior to the election, several candidates reported they were disqualified for “violating the rules and regulations,” without further explanation. They had the right to appeal, and some were reinstated in time for the elections. Uniformed members of the security forces, including the military and police, were ineligible to vote.

Political Parties and Political Participation: There were no political parties or similar associations. The law does not protect the right of individuals to organize politically. In November 2017 implementing regulations for the 2017 counterterrorism law were published; however, implementation regulations for the 2014 counterterrorism law (issued by the Ministry of Interior in March 2014) remain in place, as they explicitly and specifically banned a number of organizations with political wings, including the Muslim Brotherhood, as regional and local terrorist groups. The government continued to regard human rights organizations, such as ACPRA, as illegal political movements and treated them accordingly.

Participation of Women and Minorities: Gender discrimination excluded women from many aspects of public life. Women slowly but increasingly participated in political life, albeit at a disadvantage, in part due to guardianship laws requiring a male guardian’s permission for legal decisions, restrictions on women candidates’ contact with male voters in the 2015 elections, and the ban on women driving, which the government lifted in June. In the 2015 municipal elections, women made up less than 10 percent of the final list of registered voters, according to HRW.

In 2013 former king Abdullah issued a royal decree changing the governance of the Consultative Council, the 150-person royally appointed body that advises the king and may propose but not pass laws. The changes mandate that women constitute no less than 20 percent of the membership of the Consultative Council.
In accordance with the law, in 2013 the council inducted 30 women as full members.

Women were routinely excluded from formal decision-making positions in both government and the private sector, although some women attained leadership positions in business and served in senior advisory positions within government ministries. Women’s ability to practice law was limited; there were no women on the High Court or Supreme Judicial Council and no female judges or public prosecutors. The Ministry of Justice, however, announced in February that it was planning to hire 300 women as social, legal, and sharia researchers and administrative assistants in the first stage of its female employment program, following a decision by Minister of Justice Walid Al-Samaani to find vacancies for Saudi women in four sectors. As of November 14, the ministry appointed at least 213 female employees. On February 12, the PPO announced it would recruit women as lieutenant investigators for the first time. Furthermore, women lawyers were granted the right to obtain a notarization permit that allows them to assume some of the functions of public notaries effective March 12.

In August the General Authority of Civil Aviation issued five licenses to Saudi female pilots, permitting them to work as captains on Saudi Arabian Airlines aircraft.

On September 10, the Presidency of the Two Holy Mosques appointed 41 female employees to leadership positions in the women's public administration.

During the year the most senior position held by a woman in government was Deputy Minister of Labor and Social Development Tamadur Al-Rammah. She was also appointed supervisor of the Social Welfare and Family Agency.

The country had an increasing number of female diplomats. Bureaucratic procedures largely restricted women working in the security services to employment in women’s prisons, at women’s universities, and in clerical positions in police stations, where they were responsible for visually identifying other women, for example wearing niqabs, for law enforcement purposes.

In February the General Directorate of Public Security allowed women to apply to join the military in the enlisted ranks.

No laws prevent citizen males from minority groups from participating in political life on the same basis as other male citizens. Societal discrimination, however,
marginalized the Shia population, and tribal factors and longstanding traditions continued to dictate many individual appointments to positions. Unofficially, government authorities will not appoint a Bedouin tribesman to a high-ranking cabinet-level position, and Bedouins can only reach the rank of major general in the armed forces. All cabinet members from tribal communities were members of urbanized “Hamael” tribes, rather than Bedouin tribes. While the religious affiliation of Consultative Council members was not known publicly, the council included an estimated seven or eight Shia members. In contrast with previous years, the cabinet contained one religious minority member. Multiple municipal councils in the Eastern Province, where most Shia were concentrated, had large proportions of Shia as members to reflect the local population, including a majority in Qatif and 50 percent in al-Ahsa. Eastern Province Shia judges dealing with intra-Shia personal status and family laws operated specialized courts.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption. Some officials engaged in corrupt practices with impunity, and perceptions of corruption persisted in some sectors. Government employees who accept bribes face 10 years in prison or fines up to one million riyals ($267,000).

Nazaha, established by former king Abdullah in 2011, is responsible for promoting transparency and combating all forms of financial and administrative corruption. The relationship between Nazaha and the newly established Supreme Anti-Corruption Committee was unclear. Nazaha’s ministerial-level director reported directly to the king. In 2015 the Shura Council criticized Nazaha for its failure to refer for investigation a sufficient number of corruption cases. The council also stated the public did not believe Nazaha could handle its responsibility to investigate and punish corruption. The Control and Investigation Board remains responsible for investigating financial malfeasance, and the PPO has the lead on all criminal investigations. The HRC also responded to and researched complaints of corruption.

Provincial governors and other members of the royal family paid compensation to victims of corruption during weekly majlis meetings where citizens raised complaints.

Corruption: Nazaha continued operations and referred cases of possible public corruption to the PPO. Nazaha reportedly received 15,000 reports during the year.
On January 28, local media reported that the Supreme Judicial Council had established two criminal units in the criminal courts of Riyadh and Jeddah to review cases of detainees arrested in the November 2017 anticorruption campaign who did not reach financial settlements with the government. On March 11, King Salman ordered the establishment of specialized departments in the PPO to investigate and prosecute corruption cases. According to the public prosecutor, corruption cases were handled by the PPO’s Public Office Crimes Circuit before the creation of the new criminal court units.

On March 5, local media reported that administrative investigation authorities arrested 8,874 suspects in administrative corruption cases in the previous year, including 6,374 Saudis and 2,473 foreigners. On February 5, local media reported that the PPO received 977 cases of misuse of public funds in a single week.

On July 10, authorities arrested a defense ministry official on charges of receiving a one million riyal ($267,000) bribe and abusing his position. The public prosecutor declared the official sought to facilitate irregular procedures for the disbursement of financial dues to a company, taking advantage of his professional influence. At year’s end there were no further updates.

**Financial Disclosure:** Public officials were not subject to financial disclosure laws.

**Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

The law provides that “the State shall protect human rights in accordance with Islamic sharia.” The government restricted the activities of domestic and international human rights organizations. The government did not allow international human rights NGOs to be based in the country and restricted access to the country for visits. International human rights and humanitarian NGOs reported that the government was at times unresponsive to requests for information and did not establish a clear mechanism for communication with NGOs on both domestic human rights issues and issues relating to the conflict in Yemen. There were no transparent standards governing visits by international NGO representatives. The HRC stated that the government welcomed visits by legitimate, unbiased human rights groups but added the government could not act on the “hundreds of requests” it received, in part because it was cumbersome to decide which domestic agencies would be their interlocutor.
The government often cooperated with and sometimes accepted the recommendations of the NSHR, the sole government-licensed domestic human rights organization. The NSHR accepted requests for assistance and complaints about government actions affecting human rights.

The government viewed unlicensed local human rights groups with suspicion, frequently blocking their websites and charging their founders with founding and operating unlicensed organizations.

**Government Human Rights Bodies:** The HRC is part of the government and requires the permission of the Ministry of Foreign Affairs before meeting with diplomats, academics, or researchers with international human rights organizations. The HRC president has ministerial status and reports to the king. The well-resourced HRC was effective in highlighting problems and registering and responding to the complaints it received, but its capacity to effect change was more limited. The HRC worked directly with the Royal Diwan and the cabinet, with a committee composed of representatives of the Consultative Council and the Ministries of Labor and Social Development and Interior, and with Consultative Council committees for the judiciary, Islamic affairs, and human rights.

During the year the HRC and NSHR were more outspoken in areas deemed less politically sensitive, including child abuse, child marriage, prison conditions, and cases of individuals detained beyond their prescribed prison sentences. They avoided topics such as protests or cases of political activists or reformers that would require directly confronting government authorities. The HRC board’s 18 full-time members included four women and at least three Shia; they received and responded to complaints submitted by their constituencies, including problems related to persons with disabilities, religious freedom, and women’s rights. The Consultative Council’s Human Rights Committee also actively followed cases and included women and Shia among its members; a woman served as chairperson of the committee.

**Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

**Women**

**Rape and Domestic Violence:** Rape is a criminal offense under sharia with a wide range of penalties from flogging to execution. The law does not recognize spousal rape as a crime. The government enforced the law based on its interpretation of sharia, and courts often punished victims as well as perpetrators for illegal “mixing
of genders,” even when there was no conviction for rape. Victims also had to prove that the rape was committed, and a woman’s testimony in court was not always accepted.

Due to these legal and social obstacles, authorities brought few cases to trial. Statistics on incidents of, and prosecutions, convictions, or punishments for rape were not available, but press reports and observers indicated rape was a serious problem. Moreover, most rape cases were likely unreported because victims faced societal and familial reprisal, including diminished marriage opportunities, criminal sanction up to imprisonment, or accusations of adultery or sexual relations outside of marriage, which are punishable under sharia.

The law against domestic violence provides a framework for the government to prevent and protect victims of violence in the home. The law defines domestic abuse broadly and criminalizes domestic abuse with penalties of one month to one year of imprisonment or a fine of 5,000 to 50,000 riyals ($1,330 to $13,300), unless a court provides a harsher sentence.

Researchers stated it was difficult to gauge the magnitude of the problem, which they believed to be widespread. The National Family Safety Program (NFSP), a quasi-governmental organization under the Ministry of National Guard, was founded in 2005 to spread awareness of and combat domestic violence, including child abuse, and continued to report abuse cases.

Officials stated the government did not clearly define domestic violence and procedures concerning cases, including thresholds for investigation or prosecution, and thus enforcement varied from one government body to another. Some women’s rights advocates were critical of investigations of domestic violence, claiming investigators were hesitant to enter a home without permission from the male head of household, who may also be the perpetrator of violence. Some activists also claimed that authorities often did not investigate or prosecute cases involving domestic violence, instead encouraging victims and perpetrators to reconcile in order to keep families intact regardless of reported abuse. There were reports of police or judges returning women directly to their abusers, most of whom were the women’s legal guardians.

On March 8, a woman from Sabya Governorate in the southwestern Jazan Province appeared in a video pleading for help after her older brother and his family allegedly beat her and threw her out of a house she shared with them, along with her ill mother and her two children. She explained that when she went to report the
abuse to police, they asked her to bring her male guardian. When the video went viral on social media, the Ministry of Labor and Social Development announced its Social Protection Unit in Jazan intervened and was studying her case. At year’s end there were no known updates to this case.

The government made efforts to combat domestic violence. During the year the King Abdulaziz Center for National Dialogue held workshops and distributed educational materials on peaceful conflict resolution between spouses and within families. The Ministry of Labor and Social Development administered government-supported family-protection shelters. The HRC received complaints of domestic abuse and referred them to other government offices. The HRC advised complainants and offered legal assistance to some female litigants. The organization provided services for children of female complainants and litigants and distributed publications supporting women’s rights in education, health care, development, and the workplace.

Saudi women reported that domestic abuse in the form of incest was common but seldom reported to authorities due to fears over societal repercussions, according to local contacts.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was not a common practice in the country, as the official government interpretation of sharia prohibits the practice.

Sexual Harassment: The extent of sexual harassment was difficult to measure, with little media reporting and no government data. The government’s interpretation of sharia guides courts on cases of sexual harassment. On May 29, the Council of Ministers passed the antisesexual harassment law, which carries a maximum penalty of up to five years in prison and a fine of up to 300,000 riyals ($80,000). No statistics were available on the incidence of sexual harassment due to past reluctance to report violations. On August 8, the public prosecutor stated that the number of reported harassment cases was low and claimed the law was effective in limiting this crime. Employers in many sectors maintained separate male and female workspaces where feasible, in accordance with law.

On July 14, authorities arrested a young woman who jumped on stage to hug a male singer during a concert in the western city of Taif. Prosecutors announced that the woman would face charges pursuant to the antisesexual harassment law, under which she could face two years in prison and a fine of up to 100,000 riyals ($26,700) if convicted.
Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Women continued to face significant discrimination under law and custom, and many remained uninformed about their rights.

The law does not provide for the same legal status and rights for women as for men, and since there is no codified personal status law, judges made decisions regarding family matters based on their interpretations of Islamic law. Although they may legally own property and are entitled to financial support from their guardian, women have fewer political or social rights than men, and they often are not treated as equal members in the political and social spheres. The guardianship system requires that every woman have a close male relative as her “guardian” with the legal authority to approve her travel outside of the country. In September a personal status court in Jeddah ordered a father to obtain a passport for his 24-year-old daughter so that she could resume her studies abroad. Women also require a guardian’s permission to exit prisons after completing their terms.

Women, however, can make their own determinations concerning hospital care. Women can work without their guardian’s permission, but some employers required women to have such permission, even though the law prohibits the practice. On February 15, the Ministry of Commerce and Investment announced women no longer need their male guardian’s permission to start a business.

On June 24, the government lifted its ban on women driving. *The New York Times* reported long delays in placement of female students in driving schools due to a limited number of teaching facilities and female staff for gender-segregated programs, and long delays obtaining driver’s licenses. On July 4, two men were arrested in Mecca for setting fire to a female motorist’s car. The motorist, Salma Al-Sherif, subsequently posted a widely circulated video on social media documenting the incident, claiming that her car was deliberately set alight by men “opposed to women drivers,” and that she had been repeatedly threatened and harassed by young men from her village of Samad in Mecca Province. On October 28, the Mecca Criminal Court acquitted the two defendants for lack of sufficient evidence. Al-Sherif appealed the verdict. On December 17, arsonists reportedly set fire to another car of a Jeddah woman, Nurhan Bassam, who was reportedly burned by arsonists.
Nationality law discriminates against women, who cannot directly transmit citizenship to their children, particularly if the children’s father is a noncitizen (see section 2.d. and section 6, Children). The country’s interpretation of sharia prohibits women from marrying non-Muslims, but men may marry Christians and Jews. Women require government permission to marry noncitizens; men must obtain government permission if they intend to marry citizens from countries other than Gulf Cooperation Council member states (Saudi Arabia, Bahrain, Kuwait, Oman, Qatar, and the United Arab Emirates). Regulations prohibit men from marrying women from Pakistan, Bangladesh, Chad, and Burma. The government additionally requires Saudi men wishing to marry a second wife who is a foreigner to submit documentation attesting to the fact that his first wife was disabled, had a chronic disease, or was sterile.

Widespread societal exclusion enforced by, but not limited to, state institutions restricted women from using many public facilities. The law requires women to sit generally in separate, specially designated family sections in public places. They frequently cannot consume food in restaurants that do not have such sections. Women risk arrest for riding in a private vehicle driven by a male who is not an employee (such as a hired chauffeur or taxi driver) or a close male relative. Cultural norms enforced by state institutions require women to wear an abaya (a loose-fitting, full-length cloak) in public. The CPVPV also generally expected Muslim women to cover their hair and non-Muslim women from Asian and African countries to comply more fully with local customs of dress than non-Muslim Western women.

In June a female television presenter, Shireen al-Rifaie, fled the country after authorities launched an investigation into claims that she wore an outfit deemed “indecent” by the Saudi General Commission for Audiovisual Media. Al-Rifaie was reporting on the end of the ban on women driving when her white abaya was blown open by the wind, revealing her clothes underneath.

Women also faced discrimination in courts, where in some cases the testimony of one man equals that of two women. All judges are male, and women faced restrictions on their practice of law (see section 3, Participation of Women and Minorities). In divorce proceedings women must demonstrate legally specified grounds for divorce, but men may divorce without giving cause, citing “irreconcilable differences.” In doing so, men must pay immediately an amount of money agreed at the time of the marriage that serves as a one-time alimony payment. Men may be forced, however, to make subsequent alimony payments by court order. The government began implementing an identification system based
on fingerprints designed to provide women, such as those wearing a niqab, more access to courts.

Women faced discrimination under family law. For example, a woman needs a guardian’s permission to marry or must seek a court order in the case of adhl (male guardians refusing to approve the marriage of women under their charge). In such adhl cases, the judge assumes the role of the guardian and may approve the marriage. During the year courts adjudicated as many as 72 adhl cases and executed marriage contracts for women whose male custodians refused to approve their marriage, according to informed judicial sources quoted by local media.

Courts often award custody of children when they attain a specified age (seven years for boys and nine years for girls) to the divorced husband or the deceased husband’s family. In numerous cases former husbands prevented divorced noncitizen women from visiting their children. In March Justice Minister Sheikh Walid Al-Samaani directed all courts to drop the requirement for divorced women to file a lawsuit in order to gain custody of their children. Provided there were no disputes between the parents, mothers may now simply submit a request to the relevant court, without the need for legal action.

Inheritance laws also discriminate against women, since daughters receive half the inheritance awarded to their brothers.

According to recent surveys, women constituted 52 percent of public education and higher education students. Segregated education through university level was standard. The only exceptions to segregation in higher education were medical schools at the undergraduate level and the King Abdullah University of Science and Technology, a graduate-level research university, where women worked jointly with men, were not required to wear an abaya, and drove cars on campus. Other universities, such as al-Faisal University in Riyadh, offered partially segregated classes with students receiving instruction from the same teacher and able to participate together in class discussion, but with the women and men physically separated by dividers.

On March 12, the UN Committee on the Elimination of Discrimination against Women urged the country to end discriminatory practices against women, including its system of male guardianship, and give women full access to justice.

Children
Birth Registration: Citizenship derives from the father, and only the father may register a birth. There were cases of authorities denying public services to children of citizen parents, including education and health care, because the government failed to register the birth entirely or had not registered it immediately, sometimes because the father failed to report the birth or did not receive authorization to marry a foreigner. Children of women who were married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother (see section 2.d., Stateless Persons).

Child Abuse: Abuse of children occurred. In 2016 the NFSP started a Child Helpline dedicated to assisting children in matters ranging from bullying to abuse. The helpline provided counseling, tracking, and referrals to social services. In January NFSP official Maha al-Muneef reported that the child helpline received 270,000 calls annually, including 2,990 cases of abuse and neglect, 2,589 cases related to family violence, and 1,050 cases of school violence. The Ministry of Labor and Social Development had 17 Social Protection Units across the country providing social protection to children younger than 18 and vulnerable populations suffering domestic violence and abuse.

On July 17, authorities arrested a Saudi-based Yemeni mother who beat and tortured her six-month-old twin girls on camera for money. Video footage of the two babies being slapped and strangled went viral and sparked outrage.

Early and Forced Marriage: The law does not specify a minimum age for marriage, although Ministry of Justice guidelines referred marriage applications to sharia courts to determine the validity of a marriage when the bride was younger than 16. Families sometimes arranged such marriages to settle family debts without the consent of the child. The HRC and NSHR monitored cases of child marriages, which they reported were rare or at least rarely reported, and took steps to prevent consummation of the marriage. Media reports quoted judges as saying the majority of child marriage cases in the country involved Syrian girls, followed by smaller numbers of Egyptians and Yemenis. There were media reports that some men who traveled abroad to find brides sought to marry minors. The application for a marriage license must record the bride’s age, and registration of the marriage is a legal prerequisite for consummation. The government reportedly instructed marriage registrars not to register marriages involving children.

Sexual Exploitation of Children: The anti-cybercrimes law stipulates that punishment for such crimes, including the preparation, publication, and promotion of material for pornographic sites, may be no less than two and one-half years’
imprisonment or a fine of 1.5 million riyals ($400,000) if the crime includes the exploitation of minors. The law does not define a minimum age for consensual sex.


Anti-Semitism

There was no known data on Jewish citizens and no statistics available concerning the religious denominations of foreigners.

Cases of government-employed imams using anti-Jewish language in their sermons were rare and occurred without authorization by government authorities. The law requires government-employed imams to give all sermons delivered in mosques in the country. They must deliver sermons vetted and cleared by the Ministry of Islamic Affairs. During the year the ministry issued periodic circulars to clerics and imams in mosques directing them to include messages on the principles of justice, equality, and tolerance and to encourage rejection of bigotry and all forms of racial discrimination in their sermons.

Anti-Semitic material remained in school textbooks and online in private web postings, and some journalists, academics, and clerics made anti-Israel comments that sometimes strayed into anti-Semitism.

Trafficking in Persons

See the Department of State’s Trafficking in Persons Report at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, the judicial system, or the provision of other state services or other areas. The law does not require public accessibility to buildings, information, and communications. Newer commercial buildings often
included such access, as did some newer government buildings. Children with disabilities could attend government-supported schools.

Persons with disabilities could generally participate in civic affairs, and there were no legal restrictions preventing persons with disabilities from voting in municipal council elections. The Ministry of Labor and Social Development was responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities into the mainstream. Persons with disabilities were elected and appointed to municipal councils in 2015, and two individuals with disabilities served on the consultative Shura Council, which was reconstituted in 2016.

On June 12, Deputy Minister of Labor and Social Development Tamadur al-Rammah stated the government was working on a national strategy for persons with disabilities, including 23 initiatives designed to serve them, adding that a special commission was established to oversee the affairs of persons with disabilities.

National/Racial/Ethnic Minorities

Although racial discrimination is illegal, societal discrimination against members of national, racial, and ethnic minorities was a problem. There was also discrimination based on tribal or nontribal lineage. Descendants of former slaves in the country, who have African lineage, faced discrimination in both employment and society. There was formal and informal discrimination, especially racial discrimination, against foreign workers from Africa and Asia. On February 5, the NSHR said it had noted several instances of racial discrimination on the basis of nationality at some service facilities where some customers were denied services based on their nationality. A tolerance campaign by the King Abdulaziz Center for National Dialogue sought to address some of these problems, and it provided training during the year to combat discrimination against national, racial, or ethnic groups.

The government’s multi-year Tatweer project to revise textbooks, curricula, and teaching methods to promote tolerance and remove content disparaging religions other than Islam began in 2007. In November the Anti-Defamation League issued a report asserting that Saudi textbooks still contained anti-Semitic language.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity
Under sharia as interpreted in the country, consensual same-sex sexual conduct is punishable by death or flogging, depending on the perceived seriousness of the case. It is illegal for men “to behave like women” or to wear women’s clothes, and vice versa. Due to social conventions and potential persecution, lesbian, gay, bisexual, transgender, and intersex (LGBTI) organizations did not operate openly, nor were there LGBTI rights advocacy events of any kind. There were reports of official and societal discrimination, physical violence, and harassment based on sexual orientation or gender identity in employment, housing, access to education, and health care. Stigma or intimidation acted to limit reports of incidents of abuse.

There were no government efforts to address discrimination. In 2016 newspapers quoted PPO officials as stating the bureau would seek death sentences for anyone using social media to solicit homosexual acts. There were no reports, however, that the PPO sought death sentences in LGBTI cases during the year (see section 1.a.).

On January 8, police reported they arrested and referred to prosecutors several young men who appeared in a video described as a “gay wedding scene.” No updates on the case were publicly available.

**HIV and AIDS Social Stigma**

There were no reports of societal violence or discrimination against persons with HIV/AIDS. By law the government deported foreign workers who tested positive for HIV/AIDS upon arrival or who tested positive when hospitalized for other reasons. There was no indication that HIV-positive foreigners failed to receive antiretroviral treatment or that authorities isolated them during the year. The Ministry of Health’s HIV/AIDS program worked to fight stigma and discrimination against persons with HIV/AIDS.

**Other Societal Violence or Discrimination**

Social, legal, economic, and political discrimination against the country’s Shia minority continued. HRW claimed that some state clerics and institutions “incited hatred and discrimination against religious minorities, including the country’s Shia Muslim minority.”

To address the problem, the Ministries of Defense and Interior and the National Guard included antidiscrimination training in courses run by the King Abdulaziz
Center for National Dialogue for police and other law enforcement officers (see section 6, Other Societal Violence and Discrimination).

In August the public prosecutor ordered the arrest of a Saudi man who appeared in a video carrying machine guns and threatening to kill Shia citizens in the southern city of Najran.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law does not provide for the right of workers to form and join independent unions. The law does not provide for the right to collective bargaining or the right to conduct legal strikes. The law does not prohibit antiunion discrimination or require reinstatement of workers fired for union activity.

The government did not respect freedom of association and the right to collective bargaining. There were no labor unions in the country, and workers faced potential dismissal, imprisonment, or, in the case of migrant workers, deportation for union activities.

The government allowed citizen-only labor committees in workplaces with more than 100 employees, but it placed undue limitations on freedom of association and was heavily involved in the formation and activities of these committees. For example, the ministry approves the committee members and authorizes ministry and employer representatives to attend committee meetings. Committee members must submit the minutes of meetings to management and then transmit them to the minister; the ministry can dissolve committees if they violate regulations or are deemed to threaten public security. Regulations limit committees to making recommendations to company management regarding only improvements to working conditions, health and safety, productivity, and training programs. In October 2017 the NSHR said it registered 289 labor-related complaints in 2016-17 that it sought to resolve through settlements.

On April 15, Riyadh Governor Prince Faisal bin Bandar Al Saud warned against illegal assemblies by workers to protest delayed salaries. He advised that foreign workers should seek recourse from the offices of provincial governors and legal processes, and he reiterated the importance of both employers’ and employees’ abiding by their contractual obligations.
b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, but the government did not effectively enforce legal protections for migrant workers. Forced labor occurred, especially among migrant workers--notably domestic servants. Conditions indicative of forced labor experienced by foreign workers included withholding of passports, nonpayment of wages, restrictions on movement, and verbal, physical, and sexual abuse. Labor law prohibits the confiscation of passports and nonpayment of wages. Violations of labor laws resulted in fines of up to one million riyals ($267,000), prison terms up to 15 years, and restrictions on the entity’s ability to recruit foreign workers. Many noncitizen workers, particularly domestic employees not covered under the labor law, were unable to exercise their right to end their contractual work. An employer may require a trainee to work for him or her upon completion of training for a period not to exceed twice the duration of the training or one year, whichever is longer.

Restrictive sponsorship laws increased workers’ vulnerability to forced labor conditions and made many foreign workers reluctant to report abuse. The contract system does not allow workers to change employers or leave the country without the written consent of the employer under normal circumstances. If wages are withheld for 90 days, a ministerial decree permits an employee to transfer his or her sponsorship to a new employer without obtaining prior approval from the previous employer. There were reports, however, that the Ministry of Labor and Social Development did not always approve petitions to transfer sponsorship due to withheld wages, including some cases in which wages had been withheld for more than three months. During the year numerous migrant workers reported being laid off, sometimes after months of nonpayment of salaries. Some remained stranded in the country because they were unable to pay required exit visa fees. A few countries that previously allowed their citizens to migrate to the country for work prohibited their citizens from seeking work there after widespread reports of worker abuse.

The government continued implementation of the Wage Protection System (WPS), which requires employers to pay foreign workers through bank transfers, thereby allowing the ministry to track whether workers were paid appropriately. All employers with more than 10 employees were required to comply with WPS regulations as of August 2017. WPS covers 6.4 million employees. The Ministry of Labor and Social Development fined companies 3,000 riyals ($800) for delaying payment for employees’ salaries on the first occurrence and blocked companies
from accessing government services if a company delayed salaries for two or more months.

Throughout the year the government strictly implemented measures to limit the number of noncitizen workers in the country. The government also penalized Hajj tourist agencies that engaged in human trafficking and local companies that abused the country’s visa laws to bring individuals into the country for reasons other than to employ them directly. A smaller number came as religious pilgrims and overstayed their visas. Because of their undocumented status, many persons in the country were susceptible to forced labor, substandard wages, and deportation by authorities.

On February 17, the public prosecutor warned that involvement in trafficking-in-persons crimes carries a fine of up to one million riyals ($267,000), a prison term up to 15 years, or both.

Also see the Department of State’s Trafficking in Persons Report at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor. The law provides that no person younger than 15 may legally work unless that person is the sole source of support for the family. Children between the ages of 13 and 15 may work if the job is not harmful to health or growth and does not interfere with schooling. The law provides that hazardous operations or harmful industries may not employ legal minors, and children younger than 18 may not be employed for shifts exceeding six hours a day. There is no minimum age for workers employed in family-owned businesses or other areas considered extensions of the household, such as farming, herding, and domestic service.

The HRC and NSHR are responsible for monitoring enforcement of child labor laws. There was little information on government efforts to enforce relevant laws or actions to prevent or eliminate child labor during the year. Authorities most commonly enforced the law in response to complaints of children begging on the streets.

Most child labor involved children from other countries, including Yemen and Ethiopia, forced into begging rings, street vending, and work in family businesses.
d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations do not prohibit discrimination on the basis of race, color, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation or gender identity, age, language, or HIV-positive status. Discrimination with respect to employment and occupation occurred with respect to all these categories.

The Ministry of Labor and Social Development explicitly approved and encouraged the employment of women in specific sectors, particularly in government, but women faced many discriminatory regulations. The first-quarter Labor Market Report by the General Authority for Statistics found that Saudi girls and women (15 years of age and above) constituted 8 percent of the country’s total labor force (Saudi and non-Saudi, 15 years of age and above). The same report estimated that women and girls, both Saudi and foreign, represented 21 percent of all employed persons (15 years of age and above) in the country. Most non-Saudi women were employed as domestic workers. Rules limited the type of work women were allowed to perform and required them to wear a veil. In practice gender segregation continued to take place in the workplace.

There is no regulation requiring equal pay for equal work. In the private sector, the average monthly wage of Saudi women workers was 58 percent of the average monthly wage of Saudi men. Labor dispute settlement bodies did not register any cases of discrimination against women.

Regulations ban women from 24 professions, mostly in heavy industry, but create guidelines for women to telework. Nevertheless, some factories and manufacturing facilities, particularly in Eastern Province, employed men and women, who worked separate shifts during different hours of the day. The law grants women the right to obtain business licenses without the approval of their guardians, and women frequently obtained licenses in fields that might require them to supervise foreign workers, interact with male clients, or deal with government officials. It is illegal for a potential employer to ask a female applicant for her guardian’s permission when she applies for a job. In medical settings and the energy industry, women and men worked together, and in some instances women supervised male employees. Women who work in establishments with 50 or more female employees have the right to maternity leave and child care.

Discrimination with respect to religious beliefs occurred in the workplace. Members of the Shia community complained of discrimination based on their
religion and had difficulty securing or being promoted in government positions. Shia were significantly underrepresented in national security-related positions, including the Ministries of Defense and Interior and the National Guard. In predominantly Shia areas, Shia representation was higher in the ranks of traffic police, municipalities, and public schools. A very small number of Shia occupied high-level positions in government-owned companies and government agencies (see section 3, Participation of Women and Minorities). Shia were also underrepresented in employment in primary, secondary, and higher education.

Discrimination against Asian and African migrant workers occurred (see section 6, National/Racial/Ethnic Minorities). The King Abdulaziz Center for National Dialogue continued programs that sought to address some of these problems and provided training during the year to combat discrimination against national, racial, or ethnic groups. There were numerous cases of assault on foreign workers and reports of worker abuse.

Informal discrimination in employment and occupation occurred on the basis of sex, gender, race, religion, and sexual orientation or gender identity.

In November 2017 the Ministry of Interior’s General Directorate of Passports announced a national campaign to identify, arrest, fine, and deport individuals found in violation of the country’s residency laws under the title of “Nation Without Violators.” The campaign began with a 90-day grace period or general amnesty to allow irregular migrants to depart the country “without penalty,” after which authorities extended the grace period in coordination with international organizations. In September the Ministry of Interior stated more than 1.77 million foreign nationals were arrested between November 2017 and September 2018 for violating work, residence, and entry rules. Approximately 449,220 violators were deported during the cited period, according to the ministry. The Human Rights Committee reported that law enforcement agencies had been trained in screening vulnerable populations for human trafficking indicators and the campaign was being carried out in accordance with protections against trafficking in persons.

e. Acceptable Conditions of Work

The monthly minimum wage for public-sector employees was 3,000 riyals ($800) which is above the estimated poverty income level. There was no private-sector minimum wage for foreign workers; as of November 2017, the government did not mandate a general minimum private-sector wage for citizens.
By law a standard workday is eight hours. A standard workweek is 48 hours but can extend to 60 hours, subject to payment of overtime, which is 50 percent more than the basic wage.

An estimated 10 million noncitizens, including approximately 947,000 noncitizen women, made up approximately 76 percent of the labor force, according to the General Authority for Statistics first-quarter Labor Market Report. Legal workers generally negotiated and agreed to work conditions prior to their arrival in the country, in accordance with the contract requirements contained in the labor law.

The law provides penalties of between 500 and 1,000 riyals ($133 and $267) for bringing foreigners into the country to work in any service, including domestic service, without following the required procedures and obtaining a permit.

The labor law provides for regular safety inspections and enables ministry-appointed inspectors to examine materials used or handled in industrial and other operations and to submit samples of suspected hazardous materials or substances to government laboratories. The Ministry of Health’s Occupational Health Service Directorate worked with the Ministry of Labor and Social Development on health and safety matters. Regulations require employers to protect some workers from job-related hazards and disease, although some violations occurred. These regulations did not cover farmers, herdsmen, domestic servants, or workers in family-operated businesses. Foreign nationals privately reported frequent failures to enforce health and safety standards. The ministry employed nearly 1,000 labor inspectors.

The law requires that a citizen or business must sponsor foreign workers in order for them to obtain legal work and residency status, although the requirement exempts Syrian and Yemeni nationals who overstayed their visas. On May 9, however, IOM said 17,000 Yemenis were turned back between January and May due to their immigration status. The ministry-implemented measures allowing noncitizen workers to switch their employer to a new employer or company that employed a sufficient quota of Saudi nationals. Despite these revised measures, some workers were unaware of the new regulations and had to remain with their sponsor until completion of their contract or to seek the assistance of their embassy to return home. There were also instances in which sponsors bringing noncitizen workers into the country failed to provide them with a residency permit, which undermined the workers’ ability to access government services or navigate the court system in the event of grievances. Sponsors with commercial or labor disputes with foreign employees also could ask authorities to prohibit employees
from departing the country until the dispute was resolved; however, authorities would not jail or forcibly return fleeing workers who sought to exit the country within a 72-hour period or to coordinate with their embassy for repatriation as long as the employees did not have criminal charges or outstanding fines pending against them.

Bilateral labor agreements set conditions on foreign workers’ minimum wage, housing, benefits including leave and medical care, and other topics. These provisions were not drafted in line with international standards, and they varied depending on the sending country’s relative bargaining power. The labor law and the law against trafficking provide penalties for abuse of such workers.

The government engaged in news campaigns highlighting the plight of abused workers, trained law enforcement and other officials to combat trafficking in persons, and worked with the embassies of labor-sending countries to disseminate information about labor rights to foreign workers. As in previous years, during Ramadan the HRC broadcast a public awareness program on television emphasizing the Islamic injunction to treat employees well.

The government did not always enforce the laws protecting migrant workers effectively. There were credible reports that some migrant workers were employed on terms to which they had not agreed and experienced problems, such as delays in the payment of wages, changes in employer, or changed working hours and conditions. Migrant workers, especially domestic workers, were vulnerable to abuse, exploitation, and conditions contravening labor laws, including nonpayment of wages, working for periods in excess of the 48-hour workweek, working for periods longer than the prescribed eight-hour workday, and restrictions on movement due to passport confiscation. There were also reports of physical and verbal abuse. On July 15, local media reported that approximately 50 percent of the companies in the construction sector, which employs an estimated 3.5 million expatriates, failed to pay salaries due to stalled projects dating back to 2016, in addition to the government’s failure to pay money it owed to the companies working on government projects.

There were credible reports that some noncitizen workers, particularly domestic employees, were unable to exercise their right to remove themselves from dangerous situations. Some employers physically prevented workers from leaving or threatened them with nonpayment of wages if they left. Sponsoring employers, who controlled foreign workers’ ability to remain employed and in the country, usually held foreign workers’ passports, a practice prohibited by law. In some
contract disputes, a sponsor asked authorities to prevent the employee from leaving the country until resolution of the dispute to coerce the employee into accepting a disadvantageous settlement or risking deportation without any settlement.

On July 18, the ESOHR called on authorities to resolve a five-year labor dispute between Tunisian citizen Jannat bint Shubail bin Nahila and the Ministry of Health and allow her and her family to leave the country. According to ESOHR, the ministry arbitrarily fired Bin Nahila from her job as a nurse at a government health-care center in al-Baha Province, withheld her passport, and banned her from travel until the labor dispute was resolved.

Foreign workers could contact the labor offices of their embassies for assistance. During the year hundreds of domestic workers, the majority of whom were female, sought shelter at their embassies, some fleeing sexual abuse or other violence by their employers. Some embassies maintained safe houses for citizens fleeing situations that amounted to bondage. The workers usually sought legal help from embassies and government agencies to obtain end-of-service benefits and exit visas.

In addition to their embassies, domestic servants could contact the NSHR, HRC, governmental Inter-ministerial General Secretariat to Combat Human Trafficking, and Migrant Workers’ Welfare Department, which provided services to safeguard migrant workers’ rights and protect them from abuse. Workers could also apply to the offices of regional governors and lodge an appeal with the Board of Grievances against decisions by those authorities.
Tab 7
EXECUTIVE SUMMARY

The Kingdom of Saudi Arabia is a monarchy ruled by King Salman bin Abdulaziz Al Saud, who is both head of state and head of government. The government bases its legitimacy on its interpretation of sharia (Islamic law) and the 1992 Basic Law, which specifies that the rulers of the country shall be male descendants of the founder, King Abdulaziz bin Abdulrahman Al Saud. The Basic Law sets out the system of governance, rights of citizens, powers and duties of the government, and provides that the Quran and Sunna (the traditions of the Prophet Muhammad) serve as the country’s constitution. In 2015 the country held municipal elections on a nonparty basis for two-thirds of the 3,159 seats in the 284 municipal councils around the country. Information on whether the elections met international standards was not available, but independent polling station observers identified no significant irregularities with the elections. For the first time, women were allowed to vote and run as candidates.

Civilian authorities generally maintained effective control over the security forces.

The most significant human rights issues included unlawful killings, including execution for other than the most serious offenses and without requisite due process; torture; arbitrary arrest and detention, including of lawyers, human rights activists, and antigovernment reformists; political prisoners; arbitrary interference with privacy; restrictions on freedom of expression, including on the internet, and criminalization of libel; restrictions on freedoms of peaceful assembly, association, movement, and religion; citizens’ lack of ability and legal means to choose their government through free and fair elections; trafficking in persons; violence and official gender discrimination against women, although new women’s rights initiatives were announced; and criminalization of same sex sexual activity.

Beginning in November the government detained approximately 200 government officials, businesspersons, and royal family members ostensibly to investigate allegations of widespread corruption. According to media reports, members of the security forces coerced with relative impunity at least some of the detainees to the point of requiring medical care.

The country continued air operations in Yemen as leader of a military coalition formed in 2015 to counter the 2014 forceful takeover of the Republic of Yemen’s government institutions and facilities by Houthi militias and security forces loyal
to former president Ali Abdullah Saleh. Saudi-led coalition airstrikes in Yemen resulted in civilian casualties and damage to infrastructure on multiple occasions, and the United Nations and nongovernmental organizations (NGOs), such as Human Rights Watch (HRW) and Amnesty International, reported that some coalition airstrikes caused disproportionate collateral damage. Houthi-Saleh militias regularly conducted cross-border raids into Saudi territory and fired missiles and artillery into southern Saudi Arabia throughout the year, killing Saudi civilians. The coalition’s Joint Incident Assessment Team (JIAT), established by the Saudi government and based in Riyadh, investigated allegations of civilian casualties, published recommendations, and in some cases provided compensation to affected families, although no prosecutions occurred.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were allegations the government or its agents committed arbitrary or unlawful killings. On February 26, Saudi police arrested 35 transgender Pakistanis at a party in Riyadh; one of them, Mohammed Amin, died while in police custody. A Pakistani transgender rights activist claimed Amin’s death was the result of torture. Riyadh police said the cause of death was a heart attack.

Under the country’s interpretation and practice of sharia, capital punishment can be imposed for a range of nonviolent offenses, including apostasy, sorcery, and adultery, although in practice death sentences for such offenses were rare and often reduced on appeal. The government, however, frequently implemented capital punishment for nonviolent drug trafficking offenses. According to the governmental Saudi Press Agency, the country carried out 141 executions during the year, 59 of which were for drug-related offenses. On June 1, the United Kingdom-based human rights group Reprieve reported that 41 percent of executions in the first five months of the year were for nonviolent crimes.

Since the country lacks a formal written penal code listing criminal offenses and the associated penalties for them (see section 1.e.), punishment—including the imposition of capital punishment—is subject to considerable judicial discretion in the courts. Defendants are able to appeal their sentences. The law requires a five-judge appellate court to affirm a death sentence, which a five-judge panel of the Supreme Court must unanimously affirm. Appellate courts may recommend changes to a sentence, including increasing a lesser sentence to the death penalty.
Defendants possess no right under the law to seek a pardon or commutation of a death sentence for all crimes. The law of criminal procedure states that a victim’s heirs may grant a pardon for private crimes but that the king may issue a pardon “on pardonable matters” for public crimes only. The king generally issues such pardons annually during the holy month of Ramadan, in advance of which the Ministry of Interior publishes a list of terms and conditions defining eligibility to receive a royal pardon (see section 1.d.). The stated conditions generally exclude specific criminal categories, such as those convicted of crimes involving state security.

Many of the executions implemented during the year applied to individuals whose trials did not meet international minimum fair trial standards, according to Amnesty International. Amnesty International also claimed that “those sentenced to death are often convicted solely on the basis of ‘confessions’ obtained under torture and other mistreatment, denied legal representation in trials which are held in secret, and are not kept informed of the progress of the legal proceedings in their case.”

On July 11, authorities executed four individuals--Amjad al-Moibad, Yusuf al-Mushaikhas, Zaher al-Basri, and Mahdi al-Sayegh--on terrorism-related charges connected to the 2011-12 protests in the Eastern Province. Human rights organizations reported their convictions were based on confessions extracted through prolonged solitary confinement and torture. Local and international human rights organizations noted that the trial before the Specialized Criminal Court (SCC) lacked transparency and did not adhere to minimum fair trial standards.

On July 27, the SCC’s appellate division upheld the death sentences issued in December 2016 to 15 individuals accused of spying for Iran, according to Saudi newspaper Arab News. Human rights organizations claimed their trial was characterized by a lack of transparency and multiple due process violations.

The government also imposed death sentences for crimes committed by minors. According to numerous human rights organizations, at least nine individuals currently on death row were minors at the time they committed offenses. Other sources claimed some of these individuals may have been over the age of 18 according to the Hijri calendar, which Saudi courts use to determine dates and age. In August the Supreme Court upheld the SCC’s July 2016 death sentence for Abdulkareem al-Hawaj for crimes he allegedly committed in 2012 at age 16,
including “throwing two Molotov cocktails,” “participating in riots that resulted in the shooting of an armored vehicle,” “participating in illegal gatherings,” “chanting against the state,” and using social media “to insult the leaders,” according to Amnesty International. Hawaj remained on death row.

In 2015 the Supreme Court affirmed the 2014 death sentence for Ali Mohammed Baqir al-Nimr, who was convicted of crimes he allegedly committed when he was 17. Al-Nimr was charged with protesting, making and throwing Molotov cocktails at police, aiding and abetting fugitives, attempting to attack security vehicles, encouraging others to participate in protests, and involvement with individuals who possessed and distributed ammunition. As of September the execution had not been carried out. Human rights organizations reported due process concerns relating to minimum fair trial standards, including allegations that authorities arrested al-Nimr without a warrant, obtained a confession using torture, and repeatedly denied him access to his lawyer during the sentencing and appeals process. Al-Nimr is the nephew of Shia cleric Nimr al-Nimr, who was executed in 2016 after being convicted of criticizing officials, disobeying the ruler, inciting sectarian strife, and encouraging, leading, and participating in violent demonstrations.

There were terrorist attacks in the country during the year. For example, a judge in Qatif governorate, Mohammed al-Jirani, was kidnapped in December 2016 and later killed. Security forces found his body during a raid on December 19.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and makes criminal investigation officers liable for any abuse of authority. Sharia, as interpreted in the country, prohibits judges from accepting confessions obtained under duress. Statutory law provides that public investigators shall not subject accused persons to coercive measures to influence their testimony.

Multiple human rights organizations, the United Nations, and independent third parties noted numerous reports of torture and mistreatment of detainees by law enforcement officers. In a May press release, UN Special Rapporteur on human
rights and counter-terrorism Ben Emmerson noted concern regarding “the persistence of reports of the use of torture and mistreatment by law enforcement officials to extract confessions, as well as the alleged failure to launch effective investigations based on the complaints received from defendants and their lawyers during or before the court hearings.” Authorities denied officials commit torture and said they afford all detainees due process and properly investigate credible complaints of mistreatment or torture.

In November the *New York Times* reported that as many as 17 persons detained in the government’s anticorruption campaign that began on November 4 had required medical treatment.

Amnesty International, HRW, and other organizations also reported cases in which the SCC based its decisions on confessions allegedly obtained through torture and then admitted as evidence. In June 2016 the UN Committee against Torture noted that courts admitted coerced confessions as evidence. According to the committee, SCC judges “repeatedly refused to act on claims made by defendants facing terrorism charges that they were subjected to torture or mistreatment during interrogations for the purpose of compelling a confession, including in the cases of Fadhel al-Manasif, Ali al-Nimr, Dawoud al-Marhoun, and Abdullah al-Zaher” (see section 1.a.). During the year the Supreme Court upheld death sentences for a group of 14 Shia who claimed that authorities tortured them to obtain confessions.

Former detainees in facilities run by the General Investigations Directorate (the country’s internal security forces, also known as “Mabahith”) alleged that abuse included beatings, sleep deprivation, and long periods of solitary confinement for nonviolent detainees.

Saudi officials from the Ministry of Interior, the Public Prosecutor’s Office (PPO), and the Human Rights Commission (HRC) claimed that rules prohibiting torture prevented such practices from occurring in the penal system. The ministry said it installed surveillance cameras to record interrogations of suspects in some criminal investigation offices, police stations, and prisons where such interrogations regularly occurred, such as the General Investigations Directorate/Mabahith prison facilities. There were reports that defendants who requested copies of video footage from the ministry’s surveillance system to provide as evidence of torture did not receive it.

Representatives from the PPO, HRC, and the National Society for Human Rights (NSHR), a quasi-governmental organization supported by a trust funded by the
estate of the late King Fahd, conducted prison visits to ascertain whether torture occurred in prisons or detention centers and maintained permanent branches in eight facilities. The NSHR said it found no evidence during the year substantiating any allegation of torture. A February 2016 UN Committee against Torture report stated the NSHR had received 368 reports of “abuse or unlawful treatment” since 2004; it did not state how many reports had been referred for investigation. In 2015 the HRC received 19 complaints relating to abuse and referred one case for criminal investigation, according to the UN report. Independent institutions did not conduct regular, unannounced visits to places of detention, according to the UN Committee against Torture.

The courts continued to use corporal punishment as a judicial penalty, usually in the form of floggings, whippings, or lashings, a common punishment that government officials defended as dictated by sharia. According to local human rights activists, police conducted the floggings according to a set of guidelines determined by local interpretation of sharia. The police official administering the punishment must place a copy of the Quran under his arm that prevents raising the hand above the head, limiting the ability to inflict pain or injury on the person subjected to the punishment, and instructions forbid police from breaking the skin or causing scarring when administering the lashes. Human rights organizations disputed that officials implemented floggings according to these guidelines for all prisoners and characterized flogging as a form of cruel and unusual punishment.

Ashraf Fayadh, a Saudi resident of Palestinian origin, continued to serve an eight-year prison term and suffered 800 lashes in February 2016 after a Saudi appellate court upheld the Abha General Court’s verdict finding him guilty of apostasy, spreading atheism, threatening the morals of Saudi society, and having illicit relations with women. Fayadh was initially sentenced to death in 2015 for apostasy because of poetry he wrote that authorities interpreted as offensive to Islam. A lower court then commuted the death sentence to prison term and lashes.

There were no reported cases of judicially administered amputation during the year.

**Prison and Detention Center Conditions**

Prison and detention center conditions varied, and some did not meet international standards; reported problems included overcrowding and inadequate conditions.
Physical Conditions: In July the HRC reported that the most common problems observed during prison visits conducted in 2016 included overcrowding and inmate numbers exceeding the allocated capacity, as well as insufficient facilities for inmates with disabilities. In July the NSHR also reported it found overcrowding and inadequate conditions at some prison and detention facilities.

Juveniles constituted less than 1 percent of detainees and were held in separate facilities from adults, according to available information.

Violations listed in NSHR reports following prison visits documented shortages of properly trained wardens and lack of prompt access to medical treatment and services, including medication, when requested. Some prisoners alleged that prison authorities maintained cold temperatures in prison facilities and deliberately kept lights on 24 hours a day to make prisoners uncomfortable.

Human rights activists reported that deaths in prisons, jails, or pretrial detention centers were infrequent (see section 1.a.).

Authorities held pretrial detainees together with convicted prisoners. They separated persons suspected or convicted of terrorism offenses from the general population but held them in similar facilities. Activists alleged that authorities sometimes detained individuals in the same cells as individuals with mental disabilities as a form of punishment and indicated that authorities mistreated persons with disabilities.

Administration: There were multiple legal authorities for prisons and detention centers. At year’s end, the authorities and reporting structures for the country’s prison and detention facilities remained under review as part of a broader reform of the security apparatus (see section 1.d.), although the General Directorate of Prisons continued to administer non-Mabahith-run facilities. The General Directorate of Prisons administered approximately 91 detention centers, prisons, and jails, while the General Investigations Directorate/Mabahith administered approximately 20 regional prisons and detention centers for security prisoners. Article 37 of the law of criminal procedure gives members of the PPO the authority to conduct official visits of prisons and detention facilities “within their jurisdictional areas to ensure that no person is unlawfully imprisoned or detained” (see section 1.d. Arrest Procedures and Treatment of Detainees).

No ombudsmen were available to register or investigate complaints made by prisoners, although prisoners could and did submit complaints to the HRC and the
NSHR for follow up. Article 38 of the law of criminal procedure provides that “any prisoner or detainee shall have the right to submit, at any time, a written or verbal complaint to the prison or detention center officer and request that he communicate it to a member of the [former] Bureau of Investigations and Public Prosecution [renamed the PPO].” Under the law there is no right to submit complaints directly to judicial authorities or to challenge the legality of an individual’s detention before a court of law (habeas corpus). There was no information available on whether prisoners were able to submit complaints to prison or prosecutorial authorities without censorship, or whether authorities responded or acted upon complaints.

Recordkeeping on prisoners was inadequate; there were reports authorities held prisoners after they had completed their sentences. In July the HRC reported extended periods of investigation, which exceeded the maximum allowable time in certain instances, and a backlog of some cases due to delays in court scheduling.

A Ministry of Interior-run website (Nafetha) provided detainees and their relatives access to a database containing information about the legal status of the detainee, including any scheduled trial dates. Activists said the website did not provide information about all detainees.

Authorities differentiated between violent and nonviolent prisoners, sometimes pardoning nonviolent prisoners to reduce the prison population. Certain prisoners convicted on terrorism-related charges were required to participate in government-sponsored rehabilitation programs before consideration of their release.

Authorities generally permitted relatives and friends to visit prisoners twice a week, although certain prisons limited visitation to once every 15 days. There were reports that prison, security, or law-enforcement officials denied this privilege in some instances, often during ongoing investigations. The families of detainees could access the Nafetha website for applications for prison visits, temporary leave from prison (generally approved around the post-Ramadan Eid holidays), and release on bail (for pretrial detainees). Family members of detained persons complained that authorities canceled scheduled visits with relatives without reason.

Authorities permitted Muslim detainees and prisoners to perform religious observances such as prayers, but prison authorities in Mabahith prison facilities reportedly did not arrange for detainees to conduct Friday Islamic congregational prayer services.
Independent Monitoring: During the year the government permitted UN Special Rapporteur on human rights and counterterrorism Emmerson and some foreign diplomats to visit some prison facilities to view general conditions in nonconsular cases. In a limited number of cases, foreign diplomats visited individuals in detention, but the visits took place in a separate visitors’ center where conditions may have differed from those in the detention facilities holding the prisoners.

The government permitted the HRC and domestic quasi-governmental organizations, such as the NSHR, to monitor prison conditions. The organizations stated they visited prisons throughout the country and reported on prison conditions. In July the HRC reported it conducted 857 prison visits in the previous hijri year (between approximately October 2015 and October 2016), including 225 visits to Mabahith prisons. The NSHR monitored health care in prisons and brought deficiencies to the attention of the PPO. In 2015 the NSHR documented 422 prison-related complaints, including lack of access to medical care, poor hygiene and sanitation, overcrowding, poor ventilation, and understaffing.

d. Arbitrary Arrest or Detention

The law provides that no entity may restrict a person’s actions or imprison a person, except under the provisions of the law. The law of criminal procedure provides that authorities may not detain a person for more than 24 hours, except pursuant to a written order from a public investigator. Authorities must inform the detained person of the reasons for detention. Regardless, the Ministry of Interior and the State Security Presidency (SSP), to which the majority of forces with arrest powers reported, maintained broad authority in law and in practice to arrest and detain persons indefinitely without judicial oversight, notification of charges against them, or effective access to legal counsel or family. Authorities held persons for months and sometimes years without charge or trial and reportedly failed to advise them promptly of their rights, including their legal right to be represented by an attorney. Under the law of criminal procedure, detentions can be extended administratively for up to six months at the discretion of the PPO.

Under the 2017 counterterrorism law, the PPO may order the detention of any person accused of a crime under that law for a period, or successive periods not exceeding 30 days each, and in total not more than 12 months. The SCC must authorize periods of detention of more than 12 months. In practice the United Nations and international human rights organizations documented numerous cases
of detention that reportedly exceeded the maximum allowable period under the law.

By law defendants accused of any crime cited in the law are entitled to hire a practicing lawyer to defend themselves before the court “within an adequate period of time to be decided by the investigatory body.”

Role of the Police and Security Apparatus

In July, King Salman issued a royal decree that established the SSP, a new entity reporting directly to the king, meant to consolidate “the counterterrorism and domestic intelligence services” and “all matters related to state security, … combatting terrorism, and financial investigations,” according to the official Saudi Press Agency. The royal decree separated the Mabahith, Special Security Forces, Special Emergency Forces, General Security Aviation Command, General Directorate of Technical Affairs, and the National Information Center from the Ministry of Interior and attached them to the SSP, while police, traffic, and the General Directorate of Passports remained under the Ministry of Interior, according to the Ministry of Information’s website.

The king, the SSP, and the Ministries of Defense and Interior, in addition to the Ministry of National Guard, are responsible for law enforcement and maintenance of order. The SSP and Ministry of Interior exercise primary control over internal security and police forces. The civil police and the internal security police have authority to arrest and detain individuals. Civilian authorities maintained effective control over security forces, and the government had mechanisms to investigate and punish abuse and corruption. Military and security courts investigated abuses of authority and security force killings. The UN Committee against Torture noted that the lack of frequent investigations into abuses by the Committee for the Promotion of Virtue and the Prevention of Vice (CPVPV) created a climate of impunity (see section 1.c.).

The CPVPV, which monitors public behavior to enforce strict adherence to the official interpretation of Islamic norms, reports to the king via the Royal Diwan (royal court) and to the Ministry of Interior. In April 2016 the cabinet issued regulations severely curtailing the CPVPV’s enforcement powers. The new regulations prohibit CPVPV officers from investigating, detaining or arresting, or requesting the identification of any individual. The regulations also limit their activities to providing counseling and reporting individuals suspected of violating the law to police or other authorities. Evidence available at year’s end indicated
that CPVPV officers were less visibly present and active after implementation of the new strictures.

Ministry of Interior and SSP police and security forces were generally effective at maintaining order. The Board of Grievances (‘Diwan al-Mazalim’), a high-level administrative judicial body that hears cases against government entities and reports directly to the king, is the only formal mechanism available to seek redress for claims of abuse. Citizens may report abuses by security forces at any police station, to the HRC, or to the NSHR. The HRC and NSHR maintained records of complaints and outcomes, but privacy laws protected information about individual cases, and information was not publicly available. During the year the Board of Grievances held hearings and adjudicated claims of wrongdoing, but there were no reported prosecutions of security force members for human rights violations. The HRC, in cooperation with the Ministry of Education, provided materials and training to police, other security forces, the Ministry of Defense, and the CPVPV on protecting human rights.

Officers of the Mabahith also have broad authorities to investigate, detain, and forward “national security” cases to judicial authorities—which ranged from terrorism cases to dissident and human rights activist cases—separate from the PPO. A 2014 Ministry of Justice decree formalized and reaffirmed the role of the SCC, founded in 2008 to try terrorism offenses, following the promulgation of a counterterrorism law that year.

The Supreme Anti-Corruption Committee, Nazaha, PPO, and the Control and Investigation Board are units of the government with authority to investigate reports of criminal activity, corruption, and “disciplinary cases” involving government employees. These bodies are responsible for investigating potential cases and referring them to the administrative courts. Legal authorities for investigation and public prosecution of criminal offenses are consolidated within the PPO; the Control and Investigation Board is responsible for investigation and prosecution of noncriminal cases. All financial audit and control functions are limited to the General Auditing Board.

In May security forces began the demolition of buildings in the 400-year-old predominantly Shia neighborhood of al-Musawara, in the village of Awamiya, Qatif governorate, in the Eastern Province. The government claimed the demolition was necessary to remove militant elements from the area. According to press and NGO reports, some residents claimed security forces used heavy-handed tactics against civilians, while the government claimed it responded to resistance
from militants with proportionate force during the demolitions. Hundreds of homes and dozens of other buildings were reportedly demolished, including a historic Shia mosque. International media reported on the displacement of hundreds of residents and deaths of more than 15 persons. Some NGOs also claimed that security forces fired on areas outside of al-Musawara, allegedly killing residents and preventing access to essential services. According to press reports, the government claimed security forces undertook a counterterrorism operation during which militants caused the deaths of 12 security personnel. In April, UN experts on cultural rights, housing, and extreme poverty called on the government to reverse the decision to demolish the neighborhood. Special Rapporteur for cultural rights Karima Bennoune warned that demolitions would “erase” the neighborhood’s “unique regional heritage.”

**Arrest Procedures and Treatment of Detainees**

In June, King Salman issued two royal decrees that created the PPO (formerly the Bureau of Investigations and Public Prosecution or BIPP), established as its head Attorney General Saud bin Abdullah bin Mubarak al-Mu’jab, and directed the newly named agency to report directly to the king (rather than the Ministry of Interior, to which the BIPP had reported). Saudi officials said these changes would increase the independence and effectiveness of the lead prosecutorial office.

According to the law of criminal procedure, “no person shall be arrested, searched, detained, or imprisoned except in cases provided by law, and any accused person shall have the right to seek the assistance of a lawyer or a representative to defend him during the investigation and trial stages.” By law authorities may summon any person for investigation and may issue an arrest warrant based on evidence. In practice authorities frequently did not use warrants, and warrants were not required under the law in all cases.

The law requires authorities to file charges within 72 hours of arrest and hold a trial within six months, subject to exceptions specified by amendments to the law of criminal procedure and the counterterrorism law (see section 2.a.). Authorities may not legally detain a person under arrest for more than 24 hours, except pursuant to a written order from a public investigator. Authorities reportedly often failed to observe these legal protections, and there was no requirement to advise suspects of their rights. There were also reports that authorities did not allow legal counsel access to detainees who were under investigation in pretrial detention. Judicial proceedings begin after authorities complete a full investigation, which in some cases took years.
The law of criminal procedure specifies procedures required for extending the detention period of an accused person beyond the initial five days. Authorities may approve official detentions in excess of six months in “exceptional circumstances,” effectively allowing individuals to be held in pretrial detention indefinitely. Authorities may also extend from three months to six months the deadline for the PPO to gather evidence against the accused and issue a warrant for the defendant’s arrest, summons, or detention.

There is a functioning bail system for less serious criminal charges. Detainees generally did not have the right to obtain a lawyer of their choice. The government provided lawyers to defendants who make a formal application to the Ministry of Justice to receive a court-appointed lawyer and prove their inability to pay for their legal representation. Detained human rights activists often did not trust the courts to appoint lawyers for them due to concern the lawyer would be biased. The law contains no provision for the right to be informed of the protections guaranteed under the law.

Incommunicado detention was sometimes a problem. Authorities reportedly did not always respect a detainee’s right to contact family members following detention, and the counterterrorism law allows the investigatory body to hold a defendant for up to 90 days in detention without access to family members or legal counsel, and the SCC may extend such restrictions beyond this period. Security and some other types of prisoners sometimes remained in prolonged solitary detention before family members or associates received information of their whereabouts, particularly for detainees in Mabahith-run facilities.

**Arbitrary Arrest:** There were reports of arbitrary arrest and detention. During the year authorities detained security suspects, persons who publicly criticized the government, Shia religious leaders, and persons who violated religious standards, without charge.

On June 1, the UN Working Group on Arbitrary Detention (WGAD) issued an opinion finding that security services had detained Eastern Province resident Salim Abdullah Hussain Abu Abdullah without charge for more than two years and used torture to coerce him into confessing to crimes he did not commit.

On February 6, the WGAD issued an opinion expressing concerns over due process in the cases against Ali al-Nimr (see section 1.a.), Abdullah al-Zaher, and Dawood al-Marhoon (upheld by the Supreme Court in 2015). The statement noted
that the WGAD “is alarmed by the fact that the three minors were prosecuted and sentenced based upon laws which were only enacted two years after the time of their arrest. Such a retroactive application of the law is in clear contravention of the principle of legality and depriving the three of liberty arbitrarily.”

Pretrial Detention: Lengthy pretrial detention was a problem. In August the PPO found during inspections of prisons and detention centers across the kingdom that more than 2,000 individuals remained in detention without charge or trial since 2014. The attorney general ordered the cases be immediately examined, and the majority of detainees were reportedly released on bail. The attorney general also asked the courts to find an appropriate legal remedy for the affected individuals.

There was no current information available on the percentage of the prison population in pretrial detention or the average length of time held. Local human rights activists knew of dozens of cases and reportedly received regular reports from families claiming authorities held their relatives arbitrarily or without notification of charges.

During the year the SSP stated it had detained numerous individuals for terrorist acts. On January 31, local media reported there were 5,094 detainees in intelligence prisons across the kingdom, of whom 84 percent were Saudis.

Detainee’s Ability to Challenge Lawfulness of Detention before a Court: Under the law detainees are not entitled to challenge the lawfulness of their detention before a court. In the case of wrongful detention, the law of criminal procedure, as well as provisions of the counterterrorism law, provide for the right to compensation if detainees are found to have been held unlawfully.

Amnesty: The law of criminal procedure stipulates that the king may issue a pardon “on pardonable matters” for public crimes only. The law of criminal procedure also states that a victim’s heirs may grant a pardon for private crimes. The Ministry of Interior publishes the conditions for royal pardons annually, and these generally exclude specific crime categories such as murder or drug smuggling, or those convicted of crimes involving state security. Under the country’s interpretation of sharia, there are three broad categories of offenses: (1) huddud or “boundary” crimes, which are explicitly enumerated in the Quran and whose corresponding punishments are also prescribed; these are considered crimes against God and thus not pardonable; (2) qisas or “legal retribution crimes,” which involve murder or intentional bodily harm and give the victim’s family or legal heirs the private right to legal retribution; the victim’s family or legal heirs may
grant a pardon in exchange for financial compensation (diya or “blood money.”); and (3) crimes that do not reach the level of haddud or qisas and which are left to the discretion of the state (judge). Ta’azir or “discretionary” punishments are issued for crimes against public rights; this is the most frequently used basis for conviction.

The king continued the tradition of commuting some judicial punishments. Royal pardons sometimes set aside a conviction and sometimes reduced or eliminated corporal punishment. The remaining sentence could be added to a new sentence if the pardoned prisoner committed a crime subsequent to release.

Authorities did not detain some individuals who had received prison sentences. The counterterrorism law allows the PPO to stop proceedings against an individual who cooperates with investigations or helps thwart a planned terrorist attack. The law authorizes the SSP to release individuals already convicted.

**e. Denial of Fair Public Trial**

The law provides that judges are independent and not subject to any authority other than the provisions of sharia and the laws in force. Nevertheless, the judiciary, the PPO, and the SSP were not independent entities, as they were required to coordinate their decisions with executive authorities, with the king and crown prince as arbiters. Although public allegations of interference with judicial independence were rare, the judiciary reportedly was subject to influence, particularly in the case of legal decisions rendered by specialized judicial bodies, such as the SCC, which rarely acquitted suspects. Human rights activists reported that SCC judges received implicit instructions to issue harsh sentences against human rights activists, reformers, journalists, and dissidents not engaged in violent activities. Activists also reported that judicial and prosecutorial authorities ignored due process-related complaints, including lack of access by lawyers to their clients at critical stages of the judicial process, particularly during the pretrial/investigation phase.

There were reports during the year of extrajudicial detentions of senior members of the royal family and businesspersons. On November 4, King Salman issued a royal decree forming a new Supreme Anti-Corruption Committee. The royal decree exempted committee members--which included the crown prince, attorney general, and head of the SSP--from “all laws, regulations, instructions, orders, and decisions” that would impede anticorruption efforts. During the course of the campaign, which was ongoing at year’s end, the government announced the
detention of more than 200 individuals. Some of them reportedly negotiated financial settlements in exchange for their release, and it was expected that a number of others would instead elect to go to trial. At year’s end no public trials had taken place.

On July 19, King Salman ordered the arrest and interrogation of Prince Saud bin Abdulaziz bin Musaed bin Saud bin Abdulaziz after a video emerged purporting to show the prince beating another person. In 2016 authorities executed Prince Turki bin Saud al-Kabir after he was found guilty of murder.

**Trial Procedures**

In the judicial system, there is no published case law on criminal matters, no uniform criminal code, no presumption of innocence, and no doctrine of stare decisis that binds judges to follow legal precedent. The law states that defendants should be treated equally in accordance with sharia. The Council of Senior Scholars (CSS), or the ulema, an autonomous advisory body, issues religious opinions (fatwas) that guide how judges interpret sharia.

In the absence of a penal code detailing all criminal offenses and punishments, judges in the courts determine many of these penalties through their interpretations of sharia, which varied according to the judge and the circumstances of the case. Because judges have considerable discretion in decision making, rulings and sentences diverged widely from case to case.

Several laws, however, provide sentencing requirements for crimes including terrorism, cybercrimes, trafficking in persons, and domestic abuse. In December 2016 the Ministry of Justice completed a compilation of previous decisions that judges could refer to as a point of reference in making rulings and assigning sentences.

According to law appeals courts cannot independently reverse lower court judgments; they are limited to affirming judgments or returning them to a lower court for modification. Even when judges did not affirm judgments, appeals judges in some cases remanded the judgment to the judge who originally authored the opinion. This procedure sometimes made it difficult for parties to receive a ruling that differed from the original judgment in cases where judges hesitated to admit error. While judges may base their decisions on any of the four Sunni schools of jurisprudence, all of which are represented in the CSS, the Hanbali school predominates and forms the basis for the country’s law and legal
interpretations of sharia. Shia citizens use their legal traditions to adjudicate family law cases between Shia parties, although either party can decide to adjudicate a case in state courts, which use Sunni legal tradition.

While the law states that court hearings shall be public, courts may be closed at the judge’s discretion. As a result, many trials during the year were closed. Foreign diplomatic missions were able to obtain permission to attend some nonconsular court proceedings (that is, cases to which neither the host country nor any of its nationals were a party; diplomatic missions are generally allowed to attend consular proceedings of their own nationals), and they did so throughout the year. To attend, authorities required diplomats to obtain advance written approval from the Ministry of Foreign Affairs, the Ministry of Justice, the court administration, and the presiding judge. Authorities sometimes did not permit entry to such trials to individuals other than diplomats who were not the legal agents or family members of the accused. SCC officials sometimes prevented individuals from attending trial sessions for seemingly trivial reasons, such as banning female relatives or diplomats from attending due to the absence of women officers to conduct security inspections of the women upon entry to the courtroom. According to the Ministry of Justice, authorities may close a trial depending on the sensitivity of the case to national security, the reputation of the defendant, or the safety of witnesses.

Representatives of the HRC, the Ministry of Justice, and sometimes representatives of the media regularly attended trials at the SCC.

Amendments to the law of criminal procedure in 2013 strengthened provisions stating that authorities will offer defendants a lawyer at government expense. In August the Ministry of Justice stated that defendants “enjoy all judicial guarantees they are entitled to, including the right to seek the assistance of lawyers of their choosing to defend them, while the ministry pays the lawyer’s fees when the accused is not able to settle them.” Human rights activists, however, reported that the process for applying for a court-appointed lawyer was difficult and cumbersome. Many said they were not able or allowed to retain an attorney or consult with their attorneys during critical stages of the investigatory and trial proceedings.

The law provides defendants the right to be present at trial and to consult with an attorney during the trial. The counterterrorism law, however, authorizes the attorney general to limit the right of defendants accused of terrorism to access legal representation while under investigation “whenever the interests of the
investigation so require.” There is no right to discovery, nor can defendants view their own file or the minutes from their interrogation. Defendants also have the right to call and cross-examine witnesses under the law; however, activists reported that SCC judges could decide to restrict this right in “the interests of the case.” The law provides that a PPO-appointed investigator questions the witnesses called by the defendant during the investigation phase before the initiation of a trial and may hear testimony of additional witnesses he deems necessary to determine the facts. Authorities may not subject a defendant to any coercive measures or compel the taking of an oath. The court must inform convicted persons of their right to appeal rulings.

The law does not provide for a right against self-incrimination.

The law does not provide free interpretation services, although they were often provided in practice. The law of criminal procedure provides that “the court should seek the assistance of interpreters,” but it does not obligate the court to do so from the moment the defendant is charged, nor does the law specify that the state will bear the costs of such services.

While sharia as interpreted by the government applies to all citizens and noncitizens, the law and practice discriminate against women, noncitizens, nonpracticing Sunni, Shia, and persons of other religions. For example, in most cases a woman’s testimony before a court counts as only half that of a man’s. Judges may discount the testimony of nonpracticing Sunni Muslims, Shia Muslims, or persons of other religions; sources reported that judges sometimes completely disregarded or refused to hear testimony by Shia.

Among many reports of abuses or violations of due process rights was that of Mohammed al-Otaiby, a founding member of the Union for Human Rights (known in Arabic as “al-Ittihad”). In December 2016 authorities began prosecuting Otaiby at the SCC for statements he allegedly made on social media and for his alleged role in the establishment of an unlicensed human rights organization, according to media and NGO reporting. NGOs argued that he was unable to receive a fair trial at the SCC because he could not challenge the competence of the terrorism court to hear his case. In May he reportedly fled to Qatar to seek political asylum in a third country. Norway reportedly granted him political asylum, but Qatari authorities detained him at Doha airport and deported him to Saudi Arabia. Otaiby’s case was pending before the SCC at year’s end.

Political Prisoners and Detainees
The government maintained there were no political prisoners, including detainees who reportedly remained in prolonged detention without charge, while local activists and human rights organizations claimed there were “hundreds” or “thousands.”

In many cases it was impossible to determine the legal basis for incarceration and whether the detention complied with international norms and standards. Those who remained imprisoned after trial, including persons who were political activists openly critical of the government, were often convicted of terrorism-related crimes. During the year the SCC tried political and human rights activists for actions unrelated to terrorism, violence, or espionage against the state. UN Special Rapporteur on human rights and countering terrorism Ben Emmerson stated in May that he “received numerous reports about prosecution, on the basis of this [counterterrorism] law, of human rights defenders, writers, bloggers and journalists in connection with their expression of nonviolent views. Despite repeated requests and efforts from the special rapporteur, the [Saudi Arabian] government was unable to give access to any of the individuals whose names he provided to be interviewed.”

International NGOs, the United Nations, and others criticized the government for abusing its antiterrorism prerogatives to detain or arrest some dissidents or critics of the government or royal family on security-related grounds who had not espoused or committed violence. High-profile prisoners were generally treated well. Authorities restricted attorneys’ access to all detainees, and no international humanitarian organizations had access to them.

On July 31, the SCC’s appellate division upheld the eight-year prison sentence followed by an eight-year ban on using social media and a travel ban of equal duration imposed on Saudi Civil and Political Rights Association (ACPRA) founding member Abdulaziz al-Shobaily, according to multiple human rights organizations. In May 2016 the SCC initially sentenced him on charges related to his role in establishing a human rights organization. According to Amnesty International and HRW, the charges included “inciting public opinion against the rulers of this country,” persisting in “not abiding by judicial decision to abolish ACPRA,” “describing the ruling Saudi state--unjustly and wrongly--as a police state,” and “communicating with foreign organizations” by providing Amnesty International with information for use in two of its reports.
At the end of the year, nonviolent activist and blogger Raif Badawi remained imprisoned in Jeddah. Authorities sentenced Badawi in 2014 to 10 years in prison and 1,000 lashes on charges related to insulting Islam (see section 2.a.).

Civil Judicial Procedures and Remedies

Complainants claiming human rights violations generally sought assistance from the HRC or the NSHR, which either advocated on their behalf or provided courts with opinions on their cases. The HRC generally responded to complaints and could refer cases to the PPO; domestic violence cases were the most common. Individuals or organizations may petition directly for damages or government action to end human rights violations before the Board of Grievances, except in compensation cases related to state security wherein the SCC handles remediation. The counterterrorism law contains a provision allowing detainees in Mabahith-run prisons to request financial compensation from the Ministry of Interior/SSP for wrongful detention beyond their prison terms.

In some cases the government did not carry out judicially ordered compensation for unlawful detentions in a timely manner.

In August the Ministry of Justice issued a press release stating that “[…] the accused enjoy all judicial guarantees they are entitled to, including the right to seek the assistance of lawyers of their choosing to defend them, while the Ministry [of Justice] pays the lawyer’s fees when the accused is not able to settle them. Security detainees held in accordance with the 2017 Counterterrorism Law (CT Law) are entitled “to seek the assistance of a lawyer or legal agent,” but the Attorney General may restrict this right during the investigation “whenever the interests of the investigation so require.” The UN and international NGOs reported that security detainees were denied access to legal counsel during pretrial detention during the reporting period.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits unlawful intrusions into the privacy of persons, their homes, places of work, and vehicles. Criminal investigation officers are required to maintain records of all searches conducted; these records should contain the name of the officer conducting the search, the text of the search warrant (or an explanation of the urgency that necessitated the search without a warrant), and the names and signatures of the persons who were present at the time of search. While
the law also provides for the privacy of all mail, telegrams, telephone conversations, and other means of communication, the government did not respect the privacy of correspondence or communications and used the considerable latitude provided by law to monitor activities legally and intervene where it deemed necessary.

There were reports from human rights activists of governmental monitoring or blocking of mobile telephone or internet usage before planned demonstrations. The government strictly monitored politically related activities and took punitive actions, including arrest and detention, against persons engaged in certain political activities, such as calling for a constitutional monarchy, direct public criticism of senior members of the royal family by name, forming a political party, or organizing a demonstration. Customs officials reportedly routinely opened mail and shipments to search for contraband. In some areas Ministry of Interior/SSP informants allegedly reported “seditious ideas,” “antigovernment activity,” or “behavior contrary to Islam” in their neighborhoods.

The counterterrorism law allows the Ministry of Interior/SSP to access a terrorism suspect’s private communications as well as banking information in a manner inconsistent with the legal protections provided by the law of criminal procedure.

The CPVPV monitored and regulated public interaction between members of the opposite sex.

g. Abuses in Internal Conflict

In 2015 Saudi officials announced the formation of a coalition to counter the 2014 attempted overthrow of the Yemeni government by militias of the Ansar Allah movement (also known colloquially as “Houthis”) and forces loyal to former Yemeni president Ali Abdullah Saleh. Membership in the coalition included the United Arab Emirates, Bahrain, Egypt, Jordan, Kuwait, Morocco, Somalia, Sudan, and Senegal. The Saudi-led coalition conducted air and ground operations in Yemen throughout 2015, 2016, and during the year.

**Killings:** The United Nations, NGOs, media, and humanitarian and other international organizations reported what they characterized as disproportionate use of force by all parties to the conflict in Yemen, including the Saudi-led coalition. The UN High Commissioner for Human Rights stated that between March 2015 and December 14, an estimated 5,558 civilians had been killed and 9,065 injured as result of the war in Yemen, without noting responsibility.
Coalition airstrikes resulted in civilian casualties and damage to infrastructure on multiple occasions. An airstrike on a guesthouse in Arhab, Yemen, on August 23 killed at least 60 persons and another in Faj Attan, on August 25, killed at least 14, with dozens more wounded, according to international media reports.

The government established the JIAT in 2016 to identify lessons and corrective actions and to cue national accountability mechanisms, as appropriate. The Riyadh-based group consisted of military and civilian members from coalition member states who investigated allegations of civilian casualties as well as claims by international organizations that humanitarian aid convoys and infrastructure were targeted by the coalition.

On August 26, the JIAT released a statement concerning the August 25 incident in Faj Attan, stating, “implementation procedures and the presence of a technical mistake was the cause” of the incident. The JIAT had publicly announced the results of 15 investigations during the year.

Other Conflict-related Abuse: Yemeni rebels conducted cross-border attacks into Saudi Arabia, including launching more than 40,000 projectiles into Saudi territory since March 2015, destroying hospitals, schools, homes, and other infrastructure. On November 4 and December 19, Houthi militias launched ballistic missiles from Yemen that reached Riyadh. In response the Saudi-led coalition blocked all imports, including humanitarian aid, at all Yemini air and sea ports and land border crossings. On November 25, the coalition began opening some ports and all land border crossings to allow limited access to aid supplies. On December 20, the coalition announced it would allow the entry of ships carrying humanitarian and commercial cargo, including food and fuel vessels, to the key rebel-held port of Hudaydah for a period of 30 days.

There were continuing reports of restrictions on the free passage of relief supplies and of humanitarian organizations’ access to individuals most in need, perpetrated by all sides in the conflict, including the Saudi-led coalition. Some media reported the Yemeni government and/or the Saudi-led coalition delayed or denied clearance permits for humanitarian and commercial aid shipments bound for rebel-held Red Sea ports, particularly Hudaydah port. Aid agencies, including some affiliated with the United Nations, continued to advocate with the Saudi-led coalition for Sana’a International Airport to be reopened to commercial flights for the purposes of allowing patients to seek medical treatment abroad.
For additional details, including additional information on the Saudi-led coalition’s operations in Yemen, see the Department of State’s *Country Reports on Human Rights* for Yemen.

**Section 2. Respect for Civil Liberties, Including:**

**a. Freedom of Expression, Including for the Press**

The law does not provide for freedom of expression, including for the press. The Basic Law specifies, “Mass media and all other vehicles of expression shall employ civil and polite language, contribute towards the education of the nation, and strengthen unity. The media are prohibited from committing acts that lead to disorder and division, affect the security of the state or its public relations, or undermine human dignity and rights.” Authorities are responsible for regulating and determining which speech or expression undermines internal security. The government can ban or suspend media outlets if it concludes they violated the press and publications law, and it monitored and blocked hundreds of thousands of internet sites. There were frequent reports of restrictions on free speech.

The legal definition of terrorism, according to the 2017 counterterrorism law, includes “any conduct…intended to disturb public order …or destabilize the state or endanger its national unity.” The law also penalizes “anyone who challenges, either directly or indirectly, the religion or justice of the King or Crown Prince…or anyone who establishes or uses a website or computer program…to commit any of the offenses set out in the law.” Local human rights activists, international human rights organizations, and the UN Special Rapporteur on human rights and counterterrorism criticized the counterterrorism law for its overly broad and vague definitions of terrorism and complained the government used it to prosecute peaceful expression and dissent.

**Freedom of Expression:** The government monitored public expressions of opinion and took advantage of legal controls to impede the free expression of opinion and restrict individuals from engaging in public criticism of the political sphere. The law forbids apostasy and blasphemy, which can carry the death penalty, although there were no recent instances of death sentences being carried out for these crimes (see section 1.a.). Statements that authorities construed as constituting defamation of the king, the monarchy, the governing system, or the Al Saud family resulted in criminal charges for citizens advocating government reform. The government prohibits public employees from directly or indirectly engaging in dialogue with
local or foreign media or participating in any meetings intended to oppose state policies.

Some human rights activists were detained and then released on the condition that they refrain from using social media for activism, from communicating with foreign diplomats and international human rights organizations, and from traveling outside the country, according to human rights organizations.

The government charged a number of individuals with crimes related to their exercise of free speech during the year.

In January authorities detained computer engineer Essam Koshak on charges of “inciting public opinion” for statements he reportedly made on Twitter. Koshak was being tried in the Specialized Criminal Court under the country’s 2017 counterterrorism law (applied retroactively) and the 2008 cybercrimes law. Trial proceedings were ongoing at year’s end.

Press and Media Freedom: The Press and Publications Law governs printed materials; printing presses; bookstores; the import, rental, and sale of films; television and radio; foreign media offices and their correspondents; and online newspapers and journals. Media fall under the jurisdiction of the Ministry of Culture and Information. The ministry may permanently close “whenever necessary” any means of communication--defined as any means of expressing a viewpoint that is meant for circulation--that it deems is engaged in a prohibited activity, as set forth in the decree.

Media policy statements urged journalists to uphold Islam, oppose atheism, promote Arab interests, and preserve cultural heritage. In 2011 a royal decree amended the press law to strengthen penalties, create a special commission to judge violations, and require all online newspapers and bloggers to obtain a license from the ministry. The decree bans publishing anything “contradicting sharia, inciting disruption, serving foreign interests that contradict national interests, and damaging the reputation of the grand mufti, members of the Council of Senior Religious Scholars, or senior government officials.”

The law states that violators can face fines up to 50,000 riyals ($13,333) for each violation of the law, which doubles if the violation is repeated. Other penalties include banning individuals from writing. While the Violations Considerations Committee in the Ministry of Culture and Information has formal responsibility for implementing the law, the Ministry of Interior, the CPVPV, and sharia court judges
considered these issues regularly and exercised wide discretion in interpreting the law. It was unclear which process accords with the law.

Although satellite dishes were illegal, the government did not enforce restrictions on them, and their use was widespread. Many foreign satellite stations broadcast a wide range of programs into the country in Arabic and other languages, including foreign news channels. Access to foreign sources of information, including via satellite dishes and the internet, was common. Foreign media were subject to licensing requirements from the Ministry of Culture and Information and could not operate freely. Privately owned satellite television networks, headquartered outside the country, maintained local offices and operated under a system of self-censorship.

Violence and Harassment: Authorities subjected journalists, writers, and bloggers to arrest, imprisonment, and harassment during the year.

In September well-known Saudi journalist Jamal Khashoggi said he moved to the United States in “self-exile” and “could face arrest upon returning home” due to his writing. He claimed his column in Saudi newspaper al-Hayat had been cancelled under political pressure. In 2016 authorities purportedly banned him from writing, appearing on television, and attending conferences as the result of remarks he made that were interpreted as criticizing the president of the United States, according to multiple media sources. Earlier, in July, authorities reportedly lifted the writing ban against him.

Censorship or Content Restrictions: The government reportedly penalized those who published items counter to government guidelines and directly or indirectly censored the media by licensing domestic media and by controlling importation of foreign printed material.

All newspapers, blogs, and websites in the country must be government-licensed. The Ministry of Culture and Information must approve the appointment of all senior editors and has authority to remove them. The government provided guidelines to newspapers regarding controversial issues. The Saudi Press Agency reported official government news. The government owned most print and broadcast media and book publication facilities in the country, and members of the royal family owned or influenced privately owned and nominally independent operations, including various media outlets and widely circulated pan-Arab newspapers published outside the country. Authorities prevented or delayed the
distribution of foreign print media covering issues considered sensitive, effectively censoring these publications.

The government censored published material it considered blasphemous, extremist, racist, or offensive, or as inciting chaos, violence, sectarianism, or harm to the public order. On June 26 the PPO stated that producing and promoting “rumors that affect the public order” is a crime under the anticybercrimes law and punishable by up to five years in prison and a fine of 3 million Riyals ($800,000).

In some cases, however, individuals criticized specific government bodies or actions publicly without repercussions. The Consultative Council (Majlis as-Shura), an advisory body, frequently allowed print and broadcast media to observe its proceedings and meetings, but the council closed some high-profile or controversial sessions to the media.

**Libel/Slander Laws:** There were numerous reports during the year of the government using libel laws to suppress publication of material that criticized policies or public officials.

The anticybercrimes law provides for a maximum penalty of one-year’s imprisonment for “defamation and infliction of damage upon others through the use of various information technology devices.” In 2014 the law was amended to include social media and social networks.

In April the SCC sentenced an unnamed poet to two months in prison for writing and publishing a poem “insulting security personnel” on Twitter and YouTube, as well as producing, storing, and disseminating material that “aims to undermine public order.” The SCC also ordered his accounts on social media sites closed, according to local media reports.

**National Security:** Authorities used the anticybercrimes law and the counterterrorism law to restrict freedom of expression, including by prosecuting numerous individuals under these laws on charges related to statements made on social media.

**Internet Freedom**

The Ministry of Culture and Information or its agencies must authorize all websites registered and hosted in the country. The General Commission for Audiovisual Media has responsibility for regulating all audio and video content in the country,
including satellite channels, film, music, internet, and mobile applications, independent from the Ministry of Commerce and Industry. Internet access was widely available, and nearly 75 percent of the population used the internet during the year, while 79 percent had mobile broadband subscriptions, according to first-quarter 2017 data from the Ministry of Communications and Information Technology.

The press and publications law implicitly covers electronic media, since it extends to any means of expression of a viewpoint meant for circulation, ranging from words to cartoons, photographs, and sounds. In 2011 the government issued implementing regulations for electronic publishing that set rules for internet-based and other electronic media, including chat rooms, personal blogs, and text messages. Laws, including the anticybercrimes law, criminalize defamation on the internet, hacking, unauthorized access to government websites, and stealing information related to national security, as well as the creation or dissemination of a website for a terrorist organization. Security authorities actively monitored internet activity, both to enforce laws, regulations, and societal norms and to monitor recruitment efforts by extremist organizations such as ISIS. Activists complained of monitoring or attempted monitoring of their communications on web-based communications applications.

Access to the internet is legally available only through government-authorized internet service providers. The government required internet service providers to monitor customers and required internet cafes to install hidden cameras and provide identity records of customers. Although authorities blocked websites offering proxies, persistent internet users accessed the unfiltered internet via other means.

On a number of occasions, government officials and senior clerics publicly warned against inaccurate reports on the internet and reminded the public that criticism of the government and its officials should be done through available private channels. The government charged those using the internet to express dissent against officials or religious authorities with terrorism, blasphemy, and apostasy.

The press and publications law criminalizes the publication or downloading of offensive sites, and authorities routinely blocked sites containing material perceived as harmful, illegal, offensive, or anti-Islamic. The governmental Communications and Information Technology Commission (CITC) filtered and blocked access to websites it deemed offensive, including adult content, as well as
pages calling for domestic political, social, or economic reforms or supporting human rights, including websites of expatriate Saudi dissidents.

The CITC coordinated decisions with the Saudi Arabian Monetary Agency on blocking phishing sites seeking to obtain confidential personal or financial information. Authorities submitted all other requests to block sites to an interagency committee, chaired by the Ministry of Interior, for decision. Under the Telecommunication Act, failure by service providers to block banned sites can result in a fine of five million riyals ($1.33 million).

The CITC claimed that Facebook removed materials that the CITC deemed offensive but that Twitter ignored all CITC requests. In September 2016 the CITC announced that it had not blocked any free voice, video, or messaging services after criticisms on social media that these services had been blocked. During the year authorities announced they unblocked calling features for private messenger apps like Facebook Messenger and Whatsapp. In July 2016 users of FaceTime and other video-calling apps reported such services were blocked.

On May 25, the government blocked Qatari websites such as al-Jazeera due to a dispute between Qatar and a group of countries that included Saudi Arabia. Al-Jazeera remained blocked at year’s end.

On June 20, Ministry of Culture and Information spokesperson Hani al-Ghofaily stated that writing for blocked websites, providing them with materials to publish, or promoting alternative addresses to access them is a crime under the anticybercrimes law.

The government reportedly collected information concerning the identity of persons peacefully expressing political, religious, or ideological opinions or beliefs online.

**Academic Freedom and Cultural Events**

The government restricted some public artistic expression. Academics reportedly practiced self-censorship, and authorities prohibited professors and administrators at public universities from hosting meetings at their universities with foreign academics or diplomats without prior government permission. In 2016 King Salman issued royal decrees creating the General Authority for Entertainment (GEA) and the General Authority for Culture, with a mandate to expand the kingdom’s entertainment and cultural offerings in line with its social and economic
reform plan known as Vision 2030. During the year, the GEA sponsored events dedicated to film, comics, music, and dance. On December 11, the Saudi Ministry of Culture and Information announced that commercial cinemas would be allowed to operate in the kingdom as of early 2018.

b. Freedoms of Peaceful Assembly and Association

The law does not provide for freedom of assembly and association, which the government severely limited.

Freedom of Peaceful Assembly

The law requires a government permit for an organized public assembly of any type. The government categorically forbids participation in political protests or unauthorized public assemblies, and security forces reportedly arrested demonstrators and detained them for brief periods. Security forces at times have allowed a small number of unauthorized demonstrations throughout the country.

CPVPV and other security officers also restricted mixed gender gatherings of unrelated men and women in public and private spaces (see section 1.f.).

Freedom of Association

The law does not provide for freedom of association, and the government strictly limited this right. The government prohibited the establishment of political parties or any group it considered as opposing or challenging the regime. All associations must be licensed by the Ministry of Labor and Social Development and comply with its regulations. Some groups that advocated changing elements of the social or political order reported their licensing requests went unanswered for years, despite repeated inquiries. The ministry reportedly used arbitrary means, such as requiring unreasonable types and quantities of information, to delay and effectively deny licenses to associations. In March 2016 a new law came into effect known as the Law on Associations and Foundations (Civil Society Organizations Law), which for the first time provided a comprehensive legal framework to govern the establishment, operation, and supervision of associations and foundations. By November 2016 the ministry licensed 153 associations and 11 foundations, mostly charitable, under the new law, according to the International Center for Not-for-Profit Law. The government previously provided licenses only to philanthropic and charitable societies; organizations that have social or research mandates required royal backing to avoid government interference or prosecution.
In 2013 and 2014, the few local NGOs that had operated without a license ceased operating after authorities ordered them disbanded. While ACPRA maintained a presence on social media networks such as Twitter, the government severely curtailed its operations and closed down its website. On August 21, the SCC began new trial proceedings against ACPRA member Issa al-Nukheifi on charges related to “inciting public opinion,” according to local activists. Nukheifi was released from prison in April 2016 after serving a previous three-year sentence from a 2013 SCC ruling, along with a four-year travel ban for violating Article 6 of the anticybercrimes law. Trial proceedings against him continued at year’s end.

Government-chartered associations limited membership only to citizens.

c. Freedom of Religion

See the Department of State’s International Religious Freedom Report at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The law does not contain provisions for freedom of internal movement, foreign travel, emigration, and repatriation.

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

In-country Movement: The government generally did not restrict the free movement of male citizens within the country, but it severely restricted the movement of female citizens. While the guardianship system does not require a woman to have the permission of her male guardian (normally a father, husband, son, brother, grandfather, uncle, or other male relative) to move freely within the country, courts sometimes ruled that women should abide by a male guardian’s request to stay at home by “occasionally upholding a guardian’s right to obedience from his female dependents,” according to an HRW report.

Women’s rights activist Mariyam al-Otaiby was reportedly detained in April after she left the family house without her male guardian’s permission, and was held 104 days without trial until her release on July 30. Some human rights
organizations characterized her release as constituting a legal precedent in the kingdom for freedom of movement without the presence of a male guardian.

On April 18, King Salman issued a royal decree ordering all government agencies to review their guardianship laws and to provide their understanding of the legal basis for withholding services to women. The stated goal was to avoid denying government services to women who do not present a male guardian’s consent except when law or regulations explicitly require it. At year’s end, the government’s review of its guardianship laws had not been completed.

 Authorities respected the right of citizens to change residence or workplace, provided they held a national identification card (NIC). The law requires all male citizens who are 15 or older to possess a NIC. In 2012 the Ministry of Interior announced it would start issuing NICs to all female citizens at the age of 15, phasing in the requirement over a seven-year period. In September 2016 local media reported more than three million girls and women over the age of 15 still did not possess a NIC. The population during the year of girls and women who were 15 or older was approximately seven million, according to the General Authority for Statistics.

The government prohibited women from driving motor vehicles by refusing to issue licenses to them. In September, King Salman issued a decree ending this longstanding policy that will allow women to drive beginning in June 2018.

**Foreign Travel:** There are severe restrictions on foreign travel, including for women and members of minority groups. No one may leave the country without an exit visa and a passport. Females of any age, males younger than 21, and other dependents or foreign citizen workers under sponsorship require a male guardian’s consent to travel abroad. According to Ministry of Interior regulations, a male guardian must apply for and collect a passport for women and minors. A noncitizen wife needs permission from her husband to travel unless both partners sign a prenuptial agreement permitting the noncitizen wife to travel without the husband’s permission. If a wife’s guardian is deceased, a court may grant the permission. Government entities can ban the travel of citizens and noncitizens without trial, and male family members can “blacklist” women and minor children, prohibiting their travel.

In April, Dina Ali Lasloom was reportedly returned to Saudi Arabia against her will from the Philippines while in transit to Australia to claim political asylum in order to escape a forced marriage. On April 12, the Saudi Embassy in the
Philippines issued a statement describing Lasloom’s return as a “family matter.” At year’s end, her whereabouts were unknown, according to HRW.

Employers or sponsors controlled the departure of foreign workers and residents from the country; employers or sponsors were responsible for processing residence permits and exit visas on their behalf. Sponsors frequently held their employees’ passports against the desires of the employees, despite a law specifically prohibiting this practice. Foreign workers typically provided sponsors with their residence permit before traveling in exchange for their passport to ensure the worker’s return to their employer after their travel.

The government continued to impose international travel bans for individuals deemed at risk of flight during ongoing legal proceedings and investigations, as well as for criminal sentences. The government reportedly confiscated passports on occasion for political reasons and revoked the rights of some citizens to travel, often without providing them notification or opportunity to contest the restriction. Most travel bans reportedly involved individuals in court cases relating to corruption, state security concerns, labor, financial, and real estate disputes.

Protection of Refugees

Access to Asylum: The law provides that the “state will grant political asylum if public interest so dictates.” There are no regulations implementing this provision. The government permitted UNHCR-recognized refugees to stay in the country temporarily pending identification of a durable outcome, including third-country resettlement or voluntary repatriation. The government generally did not grant asylum or accept refugees for resettlement from third countries. Government policy is to refuse refugee status to persons in the country illegally, including those who have overstayed a pilgrimage visa. The government strongly encouraged persons without residency to leave, and it threatened or imposed deportation. Access to naturalization was difficult for refugees.

The government granted six-month visas to Syrian and Yemeni nationals, and a royal decree allowed pro forma extensions of these visas. There was a nondeportation policy for Syrians and Yemenis. The King Salman Center for Humanitarian Aid and Relief reported in September that there were more than 291,000 Syrian and 603,000 Yemeni nationals, considered visitors and not officially recognized refugees, living in Saudi Arabia.
The government did not recognize the right of Saudi citizens to petition for access to asylum or refugee status in third countries. In several cases the government prosecuted and penalized Saudi citizens who sought asylum in third countries, according to multiple sources (see section 1.e., Trial Procedures).

**Employment:** Refugees and asylum seekers were generally unable to work legally, although Syrian and Yemeni nationals who possessed a temporary visa could obtain a visitor card (“za’ir”) from the Ministry of Interior, which reportedly allows these nationals to work. The renewable permits were valid for up to six months and tied to the validity period of their temporary visas; men between the ages of 18 and 60 were eligible to apply.

**Access to Basic Services:** The government reserves access to education, health care, public housing, courts and judicial procedures, legal services, and other social services to citizens only. A royal decree issued in 2012 permits all Syrians in Saudi Arabia free access to the educational system, and a separate decree issued in 2015 gives Yemenis in Saudi Arabia free access to schools. In 2015-16 the government enrolled and funded 141,406 Syrian students and 285,644 Yemeni students in local schools and provided college scholarships to 7,950 Syrians and 3,880 Yemenis. The UNHCR office in Riyadh provided a subsistence allowance covering basic services to a limited number of vulnerable families, based on a needs assessment. Authorities worked with UNHCR to provide medical treatment also following a needs assessment. Since 2015 the government provided free health care to 47,000 Yemenis and paid for treatment of more than 3,426 injured Yemenis located in Saudi Arabia, Jordan, and Sudan.

**Stateless Persons**

The country had a significant number of habitual residents who were legally stateless, but data on the stateless population were incomplete and scarce.

Citizenship is legally derived only from the father. Children born to an unmarried citizen mother who is not legally affiliated with the citizen father may be considered stateless, even if the father recognized the child as his, or if the government did not authorize the marriage of a citizen father and a noncitizen mother prior to birth of the children. The nationality laws do not allow Saudi women married to foreign nationals to pass their nationality to their children, except in certain circumstances such as fathers who are unknown, stateless, of unknown nationality, or do not establish filiation. Sons of citizen mothers and noncitizen fathers may apply for citizenship once they turn 18 (if not already
granted citizenship at birth under certain circumstances). Daughters can obtain citizenship only through marriage to a Saudi man. A child may lose legal identification and accompanying rights if authorities withdraw identification documents from a parent (possible when a naturalized parent denaturalizes voluntarily or loses citizenship through other acts). Since there is no codified personal status law, judges make decisions regarding family matters based on their own interpretations of Islamic law.

Foreign male spouses of female citizens are entitled to permanent residency in the country without needing a sponsor, and they receive free government education and medical benefits. These spouses are also included in the quota of Saudis employed in private companies under the “nitaqat,” or labor quota system, which improves their employment prospects. Female citizens must also be between the ages of 30 and 55 in order to marry a non-Saudi man. Non-Saudi wives of Saudi men receive more rights if they have children resulting from their marriage with a Saudi man. Male citizens must be between the ages of 40 and 65 in order to marry a non-Saudi woman. The extent to which those strictures were enforced was unclear, and there was anecdotal evidence that they were not uniformly enforced. Children of Saudi women who are married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother.

UNHCR unofficially estimated there were 70,000 stateless persons in the country, almost all of whom were native-born residents known locally as “Bidoon” (an Arabic word that means “without” [citizenship]). Bidoon are persons whose ancestors failed to obtain nationality, such as descendants of nomadic tribes not counted among the native tribes during the reign of the country’s founder, King Abdulaziz; descendants of foreign-born fathers who arrived before there were laws regulating citizenship; and rural migrants whose parents failed to register their births. As noncitizens, Bidoon are unable to obtain passports. The government sometimes denied them employment and educational opportunities, and their marginalized status made them among the poorest residents of the country. In recent years the Ministry of Education encouraged them to attend school. The government issues Bidoon five-year residency permits to facilitate their social integration in government-provided health-care and other services, putting them on similar footing with sponsored foreign workers. The General Directorate of Passports issued special identity cards to Bidoon similar to residency permits issued to foreigners in the country, but with features entitling their holders to additional government services similar to those available to citizens.
There were also some Baloch, West Africans, and Rohingya Muslims from Burma, but only a portion of these communities was stateless. Many Rohingya had expired passports that their home government refused to renew. UNHCR estimated there were between 250,000 and 500,000 Rohingya in the country. During the year some of these individuals benefited from a program to correct their residency status; the government issued approximately 200,000 four-year residency permits by year’s end. Only an estimated 2,000 individuals of Rohingya origin had Saudi citizenship. There also were between 300,000 and 400,000 Palestinian residents not registered as refugees.

**Section 3. Freedom to Participate in the Political Process**

The law does not provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage; it establishes an absolute monarchy led by the Al Saud family as the political system. The Allegiance Council, composed of up to 34 senior princes appointed by the king, is formally responsible for selecting a king and crown prince upon the death or incapacitation of either. Only select members of the ruling family have a voice in the choice of leaders, the composition of the government, or changes to the political system.

The law provides citizens the right to communicate with public authorities on any matter and establishes the government on the principle of consultation (“shura”). The king and senior officials, including ministers and regional governors, are required to be available through “majlis,” open-door meetings where in theory any male citizen or noncitizen may express an opinion or a grievance without an appointment.

Most government ministries and agencies had women’s sections to interact with female citizens and noncitizens, and at least two regional governorates hired female employees to receive women’s petitions and arrange meetings for women with complaints for, or requests of, the governor.

**Elections and Political Participation**

Recent Elections: In 2015 elections were held for two-thirds of the 3,159 seats on 284 municipal councils; the government appointed the remaining third. Women were allowed to vote and run as candidates for the first time. The voting age was also lowered universally to 18 years. The Ministry of Municipal and Rural Affairs actively encouraged women’s participation in the municipal elections. Election
regulations prohibited candidates from contesting under party affiliation. Twenty-one women won seats and 17 were appointed to seats, totaling approximately 1 percent of all available seats.

The NSHR observed the elections, and select international journalists were also permitted to observe. Independent polling station observers identified no irregularities with the election. Prior to the election, several candidates reported they were disqualified for “violating the rules and regulations,” without further explanation. They had the right to appeal, and some were reinstated. Uniformed members of the security forces, including the military and police, were ineligible to vote.

Political Parties and Political Participation: There were no political parties or similar associations. The law does not protect the right of individuals to organize politically. At year’s end implementing regulations for the 2017 counterterrorism law had not been published; however, implementation regulations for the 2014 counterterrorism law, issued by the Ministry of Interior in March 2014, explicitly and specifically banned a number of organizations with political wings, including the Muslim Brotherhood, as regional and local terrorist groups. The government continued to regard human rights organizations, such as ACPRA, as illegal political movements and treated them accordingly.

Participation of Women and Minorities: Gender discrimination excluded women from many aspects of public life. Women slowly but increasingly participated in political life, albeit at a disadvantage, in part due to guardianship laws requiring a male guardian’s permission for legal decisions, restrictions on women candidates’ contact with male voters in the 2015 elections, and the ban on women driving, which the government announced would be lifted in 2018. In the 2015 municipal elections, women made up less than 10 percent of the final list of registered voters, according to HRW.

In 2013 former king Abdullah issued a royal decree changing the governance of the Consultative Council, the 150-person royally appointed body that advises the king and may propose but not pass laws. The changes mandate that women constitute no less than 20 percent of the membership of the Consultative Council. In accordance with the law, in 2013 the council inducted 30 women as full members.

Women were routinely excluded from formal decision-making positions in both government and the private sector, although some women attained leadership
positions in business and served in senior advisory positions within government ministries. Women’s ability to practice law was severely limited; there were no women on the High Court or Supreme Judicial Council and no female judges or public prosecutors.

During the year the most senior position held by a woman in government was vice president for women’s affairs of the General Sports Authority.

The country had an increasing number of female diplomats. Bureaucratic procedures largely restricted women working in the security services to employment in women’s prisons, at women’s universities, and in clerical positions in police stations, where they were responsible for visually identifying other women for law enforcement purposes.

No laws prevent citizen males from minority groups from participating in political life on the same basis as other male citizens. Societal discrimination, however, marginalized the Shia population, and tribal factors and longstanding traditions continued to dictate many individual appointments to positions. Unofficially, government authorities will not appoint a Bedouin tribesman to a high-ranking cabinet-level position, and Bedouins can only reach the rank of major general in the armed forces. All cabinet members from tribal communities were members of urbanized “Hamael” tribes rather than Bedouin tribes. While the religious affiliation of Consultative Council members was not known publicly, the council included an estimated seven or eight Shia members. In contrast with previous years, the cabinet contained one religious minority member. Multiple municipal councils in the Eastern Province, where most Shia were concentrated, had large proportions of Shia as members to reflect the local population, including a majority in Qatif and 50 percent in al-Hasa. Eastern Province Shia judges dealing with intra-Shia personal status and family laws operated specialized courts.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption. Some officials engaged in corrupt practices with impunity, and perceptions of corruption persisted in some sectors. Government employees who accept bribes face 10 years in prison or fines up to one million riyals ($267,000).

The National Anticorruption Commission (“Nazaha”), established by former king Abdullah in 2011, is responsible for promoting transparency and combating all forms of financial and administrative corruption. The relationship between Nazaha
and the newly established Supreme Anti-Corruption Committee was unclear. Nazaha’s ministerial-level director reported directly to the king. In 2015 the Shura Council censured Nazaha for its failure to refer for investigation a sufficient number of corruption cases. The council also stated that the public did not believe Nazaha could handle its responsibility to investigate and punish corruption. The Control and Investigation Board remains responsible for investigating financial malfeasance, and the PPO has the lead on all criminal investigations. The HRC also responded to and researched complaints of corruption.

Provincial governors and other members of the royal family paid compensation to victims of corruption during weekly majlis meetings where citizens raised complaints.

Corruption: Nazaha continued operations and referred cases of possible public corruption to the PPO. It referred the Minister of Civil Service Khaled al-Araj for investigation over allegations of abuse of power and nepotism. In November 2016 Nazaha announced it found irregularities in the appointment of al-Araj’s son to the Ministry of Municipal and Rural Affairs.

Financial Disclosure: Public officials were not subject to financial disclosure laws.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

The law provides that “the State shall protect human rights in accordance with Islamic sharia.” The government restricted the activities of domestic and international human rights organizations. The government did not allow international human rights NGOs to be based in the country but allowed representatives to visit on a limited basis. International human rights and humanitarian NGOs reported that the government was at times unresponsive to requests for information and did not establish a clear mechanism for communication with NGOs on both domestic human rights issues and on issues relating to the conflict in Yemen. There were no transparent standards governing visits by international NGO representatives. The HRC stated that the government welcomed visits by legitimate, unbiased human rights groups but added the government could not act on the “hundreds of requests” it received, in part because it was cumbersome to decide which domestic agencies would be their interlocutor.

The government often cooperated with and sometimes accepted the recommendations of the NSHR, the sole government-licensed domestic human
rights organization. The NSHR accepted requests for assistance and complaints about government actions affecting human rights.

The government viewed unlicensed local human rights groups with suspicion, frequently blocking their websites and charging their founders with founding and operating unlicensed organizations. ACPRA applied for a license in 2008, which authorities did not grant. The government initially allowed its unlicensed operation, but it remained unclear which activities the group could undertake without risking punishment. The group was unable to raise operating funds legally, which limited its activities. In 2013 a court ordered the dissolution of ACPRA and confiscation of its assets (see section 2.b., Freedom of Association). Eleven founders of ACPRA were initially detained and eight remained in custody for their activities related to the organization.

Government Human Rights Bodies: The HRC is part of the government and requires the permission of the Ministry of Foreign Affairs before meeting with diplomats, academics, or researchers with international human rights organizations. The HRC president has ministerial status and reports to the king. The well resourced HRC was effective in highlighting problems and registering and responding to the complaints it received, but its capacity to effect change was more limited. The HRC worked directly with the Royal Diwan and the cabinet, with a committee composed of representatives of the Consultative Council and the Ministries of Labor and Social Development and Interior, and with Consultative Council committees for the judiciary, Islamic affairs, and human rights.

During the year the HRC and NSHR were more outspoken in areas deemed less politically sensitive, including child abuse, child marriage, prison conditions, and cases of individuals detained beyond their prescribed prison sentences. They avoided topics, such as protests or cases of political activists or reformers, that would require directly confronting government authorities. The HRC board’s 18 full-time members included four women and at least three Shia; they received and responded to complaints submitted by their constituencies, including problems related to persons with disabilities, religious freedom, and women’s rights. The Consultative Council’s Human Rights Committee also actively followed cases and included women and Shia among its members; a woman served as chairperson of the committee.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women
Rape and Domestic Violence: Rape is a criminal offense under sharia with a wide range of penalties from flogging to execution. The law does not recognize spousal rape as a crime. The government enforced the law based on its interpretation of sharia, and courts often punished victims as well as perpetrators for illegal “mixing of genders,” even when there was no conviction for rape. Victims also had to prove that the rape was committed, and women’s testimony in court is, in most cases, worth half the weight of that of a man. Due to these legal and social penalties, authorities brought few cases to trial. The government did not maintain public records on prosecutions, convictions, or punishments.

Statistics on incidents of rape were not available, but press reports and observers indicated rape was a serious problem. Moreover, most rape cases were likely unreported because victims faced societal and familial reprisal, including diminished marriage opportunities, criminal sanction up to imprisonment, or accusations of adultery or sexual relations outside of marriage, which are punishable under sharia.

The 2013 law against domestic violence provides a framework for the government to prevent and protect victims of violence in the home. The law defines domestic abuse broadly and criminalizes domestic abuse with penalties of one month to one year of imprisonment or a fine of 5,000 to 50,000 riyals ($1,333 to $13,333) unless a court provides a harsher sentence.

Researchers stated that it was difficult to gauge the magnitude of the problem, which they believed to be widespread. The National Family Safety Program (NFSP), a quasi-governmental organization under the Ministry of National Guard, was founded in 2005 to spread awareness of and combat domestic violence, including child abuse, and continued to report abuse cases.

Officials stated that the government did not clearly define domestic violence and procedures concerning cases, including thresholds for investigation or prosecution, and thus enforcement varied from one government body to another. Some women’s rights advocates were critical of investigations of domestic violence, claiming investigators were hesitant to enter a home without permission from the head of household, who may also be the male perpetrator. Some activists also claimed that authorities often did not investigate or prosecute cases involving domestic violence, instead encouraging victims and perpetrators to reconcile in order to keep families intact regardless of reported abuse. Violence included a
broad spectrum of abuse. There were reports of police or judges returning women directly to their abusers, most of whom were the women’s legal guardians.

In August a Saudi man was sentenced to 19 months in jail and flogging for chaining his wife, pouring gasoline on her, and setting her ablaze. The woman was permanently scarred and required ongoing treatment for her injuries.

The government made efforts to combat domestic violence. During the year the King Abdulaziz Center for National Dialogue held workshops and distributed educational materials on peaceful conflict resolution between spouses and within families. Responsibility for administering the government-supported family-protection shelters was transferred to the Ministry of Labor and Social Development during the year. The HRC received complaints of domestic abuse and referred them to other government offices. The HRC advised complainants and offered legal assistance to some female litigants. The organization provided services for children of female complainants and litigants and distributed publications supporting women’s rights in education, health care, development, and the workplace.

Saudi women reported that domestic abuse in the form of incest is common but seldom reported to authorities due to fears over societal repercussions, according to local contacts.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was not a common practice in the country, particularly among the Saudi population, as the official government interpretation of sharia prohibits the practice.

Sexual Harassment: The extent of sexual harassment was difficult to measure, with little media reporting and no government data. The government’s interpretation of sharia guides courts on cases of sexual harassment. In October the king ordered the government to review antiharassment legislation that would criminalize sexual harassment. Employers in many sectors maintained separate male and female workspaces where feasible, in accordance with law.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.
Discrimination: Women continued to face significant discrimination under law and custom, and many remained uninformed about their rights. To increase awareness, in July 2016 a female lawyer launched an Arabic mobile phone application, “Know Your Rights.” The application contained resources for legal aid as well as answers to frequently asked questions on issues such as divorce, child custody, guardianship, disability, and domestic violence.

The law does not provide for the same legal status and rights for women as for men, and since there is no codified personal status law, judges made decisions regarding family matters based on their interpretations of Islamic law. Although they may legally own property and are entitled to financial support from their guardian, women have fewer political or social rights than men, and society treated them as unequal members in the political and social spheres. The guardianship system requires that every woman have a close male relative as her “guardian” with the legal authority to approve her travel outside of the country. A guardian also has authority to approve some types of business licenses and study at a university or college. Women can make their own determinations concerning hospital care. Women can work without their guardian’s permission, but most employers required women to have such permission, even though the law prohibits the practice (see section 7.d. for more information about discrimination against women in the workplace.) A husband who verbally (rather than through a court process) divorces his wife or refuses to sign final divorce papers continues to be her legal guardian.

On September 26, the king issued a royal decree lifting the ban on women driving, to be implemented in June 2018. On September 28, the king issued another royal decree ordering the Ministry of Interior to draft an antisexual harassment law within 60 days in a preemptive move aimed at safeguarding women drivers against retaliatory sexual assaults.

The overall percentage of female labor force participation was about 22 percent in the third quarter of 2016, according to government statistics.

Nationality law discriminates against women, who cannot directly transmit citizenship to their children, particularly if the children’s father is a noncitizen (see section 2.d. and section 6, Children). The country’s interpretation of sharia prohibits women from marrying non-Muslims, but men may marry Christians and Jews. Women require government permission to marry noncitizens; men must obtain government permission if they intend to marry citizens from countries other than Gulf Cooperation Council member states (Saudi Arabia, Bahrain, Kuwait,
Oman, Qatar, and the United Arab Emirates). Regulations prohibit men from marrying women from Pakistan, Bangladesh, Chad, and Burma. The government additionally required Saudi men wishing to marry a second wife who is a foreigner to submit documentation attesting to the fact that his first wife is disabled, has a chronic disease, or is sterile.

Widespread societal exclusion enforced by, but not limited to, state institutions restricted women from using many public facilities. The law requires women to sit generally in separate, specially designated family sections. They frequently cannot consume food in restaurants that do not have such sections. Women risk arrest for riding in a private vehicle driven by a male who is not an employee (such as a hired chauffeur or taxi driver) or a close male relative. Cultural norms enforced by state institutions require women to wear an “abaya” (a loose-fitting, full-length cloak) in public. The CPVPV also generally expected Muslim women to cover their hair and non-Muslim women from Asian and African countries to comply more fully with local customs of dress than non-Muslim Western women.

Women also faced discrimination in courts, where in most cases the testimony of one man equals that of two women. All judges are male, and women faced restrictions on their practice of law. In divorce proceedings, women must demonstrate legally specified grounds for divorce, but men can divorce without giving cause. In doing so, men must pay immediately an amount of money agreed at the time of the marriage that serves as a one-time alimony payment. Men can be forced, however, to make subsequent alimony payments by court order. The government began implementing an identification system based on fingerprints that was designed to provide women more reliable access to courts.

Women faced discrimination under family law. For example, a woman needs a guardian’s permission to marry or must seek a court order in the case of “adhl” (male guardians refusing to approve the marriage of women under their charge). In such adhl cases, the judge assumes the role of the guardian and can approve the marriage.

Courts award custody of children when they attain a specified age (seven years for boys and nine years for girls) to the divorced husband or the deceased husband’s family. In numerous cases, former husbands prevented divorced noncitizen women from visiting their children. Inheritance laws also discriminate against women, since daughters receive half the inheritance awarded to their brothers.
According to recent surveys, women constituted more than half of university students. Segregated education through university level was the norm. The only exceptions to segregation in higher education were medical schools at the undergraduate level and the King Abdullah University of Science and Technology, a graduate-level research university, where women worked jointly with men, were not required to wear an abaya, and drove cars on campus. Other universities, such as al-Faisal University in Riyadh, offered partially segregated classes with students receiving instruction from the same teacher and able to participate together in class discussion, but with the women and men physically separated by dividers.

Children

Birth Registration: Citizenship derives from the father, and only the father can register a birth. There were cases of authorities denying public services to children of citizen parents, including education and health care, because the government failed to register the birth entirely or had not registered it immediately, sometimes because the father failed to report the birth or did not receive authorization to marry a foreigner. Children of Saudi women who were married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother (see section 2.d., Stateless Persons).

Child Abuse: Abuse of children occurred. In March 2016 local media reported a National Family Safety Program study that found 60 percent of domestic abuse complaints involved children who suffered some form of physical abuse, with 5 to 10 percent of children exposed to physical violence and 80 percent of teenagers exposed to various forms of physical and psychological abuse. During the year the NFSP started a Child Helpline dedicated to assisting children in matters ranging from bullying to abuse. The helpline provided counseling, tracking, and referrals to social services.

Early and Forced Marriage: The law does not specify a minimum age for marriage, although Ministry of Justice guidelines referred marriage applications to sharia courts to determine the validity of a marriage when the bride was under the age of 16. According to some senior religious leaders, girls as young as 10 may marry. Families sometimes arranged such marriages to settle family debts without the consent of the child. The HRC and NSHR monitored cases of child marriages, which they reported were rare or at least rarely reported, and took steps to prevent consummation of the marriage. Media reports quoted judges as saying the majority of child marriage cases in the country involved Syrian girls, followed by smaller numbers of Egyptians and Yemenis. There were media reports that some
men traveled abroad to find brides, some of whom were legally minors. The application for a marriage license must record the bride’s age, and registration of the marriage is a legal prerequisite for consummation. The government reportedly instructed marriage registrars not to register marriages involving children.

**Sexual Exploitation of Children:** The anticybercrimes law stipulates that punishment for such crimes, including the preparation, publication, and promotion of material for pornographic sites, may be no less than two and one-half years’ imprisonment or a fine of 1.5 million riyals ($400,000) if the crime includes the exploitation of minors. The law does not define a minimum age for consensual sex.

**International Child Abductions:** The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

**Anti-Semitism**

There was no known data on Jewish citizens and no statistics available concerning the religious denominations of foreigners.

Cases of government-employed imams using anti-Jewish language in their sermons were rare and occurred without authorization by government authorities. The law requires government-employed imams to give all sermons delivered in mosques in the country. They must deliver sermons vetted and cleared by the Ministry of Islamic Affairs. During the year the ministry issued periodic circulars to clerics and imams in mosques directing them to include messages on the principles of justice, equality, and tolerance and to encourage rejection of bigotry and all forms of racial discrimination in their sermons. According to the ministry, no imams publicly espoused intolerant views warranting dismissal during the year. Unauthorized imams continued to employ intolerant views in their sermons.

During the year some anti-Semitic texts were observed at government-sponsored book fairs. Some anti-Semitic material remained in school textbooks, and anti-Semitic comments by journalists, academics, and clerics appeared in the media, as well as those by private citizens in social media.

**Trafficking in Persons**
Persons with Disabilities

The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, the judicial system, or the provision of other state services or other areas. The law does not require public accessibility to buildings, information, and communications. Newer commercial buildings often included such access, as did some newer government buildings. Children with disabilities could attend government-supported schools.

Persons with disabilities could generally participate in civic affairs, and there were no legal restrictions that prevented persons with disabilities from voting in municipal council elections. The Ministry of Labor and Social Development was responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities into the mainstream. Persons with disabilities were elected and appointed as members of municipal councils in 2015, and two individuals with disabilities served on the consultative Shura Council, which was reconstituted in December 2016.

National/Racial/Ethnic Minorities

Although racial discrimination is illegal, societal discrimination against members of national, racial, and ethnic minorities was a problem. There was also discrimination based on tribal or nontribal lineage. Descendants of former slaves in the country, who have African lineage, faced discrimination in both employment and society. There was formal and informal discrimination, especially racial discrimination, against foreign workers from Africa and Asia. The tolerance campaign of the King Abdulaziz Center for National Dialogue sought to address some of these problems, and it provided training during the year to combat discrimination against national, racial, or ethnic groups.

The government’s multi-year Tatweer project to revise textbooks, curricula, and teaching methods to promote tolerance and remove content disparaging religions other than Islam began in 2007. As of 2016 the government reported it had developed new curricula and textbooks for all grades.
Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

Under sharia as interpreted in the country, consensual same-sex sexual conduct is punishable by death or flogging, depending on the perceived seriousness of the case. It is illegal for men “to behave like women” or to wear women’s clothes and vice versa. Due to social conventions and potential persecution, lesbian, gay, bisexual, transgender, and intersex (LGBTI) organizations did not operate openly, nor were there gay rights advocacy events of any kind. There were reports of official societal discrimination, physical violence, and harassment based on sexual orientation or gender identity in employment, housing, access to education, and health care. Stigma or intimidation acted to limit reports of incidents of abuse. Sexual orientation and gender identity could constitute the basis for harassment, blackmail, or other actions.

There were no government efforts to address potential discrimination. In March 2016 newspapers quoted PPO officials as stating the bureau would seek death sentences for anyone using social media to solicit homosexual acts. There were no reports, however, that PPO sought death sentences in LGBTI cases during the year (see section 1.a.).

HIV and AIDS Social Stigma

There were no reports of societal violence or discrimination against persons with HIV/AIDS. By law the government deported foreign workers who tested positive for HIV/AIDS upon arrival or who tested positive when hospitalized for other reasons. There was no indication that HIV-positive foreigners failed to receive antiretroviral treatment or that authorities isolated them during the year. The Ministry of Health’s HIV/AIDS program worked to fight stigma and discrimination against persons with HIV/AIDS.

Other Societal Violence or Discrimination

Violence and social, legal, economic, and political discrimination against the country’s Shia minority continued. During the year authorities took steps to prosecute a number of social media users for tweets deemed sectarian (anti-Shia) in nature. HRW claimed that some state clerics and institutions “incited hatred and discrimination against religious minorities, including the country’s Shia Muslim minority.”
To address the problem, the Ministries of Defense and Interior and the National Guard included antidiscrimination training in courses run by the King Abdulaziz Center for National Dialogue for police and other law enforcement officers (see section 6, Other Societal Violence and Discrimination).

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law does not provide for the right of workers to form and join independent unions. The law does not provide for the right to collective bargaining or the right to conduct legal strikes. The law does not prohibit antiunion discrimination or require reinstatement of workers fired for union activity.

The government did not respect freedom of association and the right to collective bargaining. There were no labor unions in the country, and workers faced potential dismissal, imprisonment, or, in the case of migrant workers, deportation for union activities. The High Commission for the Settlement of Labor Disputes, a specialized committee under the Ministry of Labor and Social Development, is a labor court that hears employment-related disputes in the private sector.

The government allowed citizen-only labor committees in workplaces with more than 100 employees, but it placed undue limitations on freedom of association and was heavily involved in the formation and activities of these committees. For example, the ministry approves the committee members and authorizes ministry and employer representatives to attend committee meetings. Committee members must submit the minutes of meetings to management and then transmit them to the minister; the ministry can dissolve committees if they violate regulations or are deemed to threaten public security. Regulations limit committees to making recommendations to company management only regarding improvements to working conditions, health and safety, productivity, and training programs. In its 2015 annual report, the NSHR registered 214 labor-related complaints.

On January 1, the Mecca Criminal Court sentenced 49 workers of the Saudi bin Laden Group to prison terms and flogging for rioting and damaging public property during a protest over unpaid wages in 2016, according to multiple press reports. Sentences ranged from 45 days in jail to four months in prison and 300 lashes.

b. Prohibition of Forced or Compulsory Labor
The law prohibits forced or compulsory labor, but the government did not effectively enforce legal protections for migrant workers. Forced labor occurred, especially among migrant workers—notably domestic servants—and children. Conditions indicative of forced labor experienced by foreign workers included withholding of passports, nonpayment of wages, restrictions on movement, and verbal, physical, and sexual abuse. Labor law prohibits the confiscation of passports and nonpayment of wages. Violations of labor laws resulted in fines of up to one million riyals ($266,666), prison terms up to 15 years, and restrictions on the entity’s ability to recruit foreign workers. Many noncitizen workers, particularly domestic employees who were not covered under the labor law, were not able to exercise their right to end their contractual work. An employer may require a trainee to work for him or her upon completion of training for a period not to exceed twice the duration of the training or one year, whichever is longer.

Restrictive sponsorship laws increased workers’ vulnerability to forced labor conditions and made many foreign workers reluctant to report abuse. The contract system does not allow workers to change employers or leave the country without the written consent of the employer. During the year numerous migrant workers reported being laid off, sometimes after months of nonpayment of salaries. Some remained stranded in the country because they were unable to pay required exit visa fees. A few countries that previously allowed their citizens to migrate to the country for work prohibited their citizens from seeking work there after widespread reports of worker abuse.

The government continued implementation of the Wage Protection System (WPS), which required employers to pay foreign workers through bank transfers, thereby allowing the ministry to track whether workers were paid appropriately. All employers with more than 10 employees were required to comply with WPS regulations as of August 1. WPS covers 6.4 million employees. The Ministry of Labor and Social Development fined companies 3,000 riyals ($800) for delaying payment for employees’ salaries on the first occurrence and blocked companies from accessing government services if a company delayed salaries for two or more months.

Throughout the year the government strictly implemented measures to limit the number of noncitizen workers in the kingdom. The government also penalized Hajj tourist agencies that engaged in human trafficking and local companies that abused the country’s visa laws to bring individuals into the country for reasons other than to employ them directly. During the period between April 2015 and
March 2016, the government reported a 257 percent increase in the number of traffickers convicted and a 1,054 percent increase in the number of victims identified. Many individuals either left their legal sponsors’ employment or stayed on after expiration of their work visas and residence permits. A smaller number came as religious pilgrims and overstayed their visas. Because of their undocumented status, many persons in the country were susceptible to forced labor, substandard wages, and deportation by authorities.

Also see the Department of State’s Trafficking in Persons Report at www.state.gov/j/tip/rls/rlsdtiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law provides that no person younger than 15 may legally work unless that person is the sole source of support for the family. Children between the ages of 13 and 15 may work if the job is not harmful to health or growth and does not interfere with schooling. The law provides that hazardous operations or harmful industries may not employ legal minors, and children under the age of 18 may not be employed for shifts exceeding six hours a day. There is no minimum age for workers employed in family-owned businesses or other areas considered extensions of the household, such as farming, herding, and domestic service.

The HRC and NSHR are responsible for monitoring enforcement of child labor laws. There was little information on government efforts to enforce relevant laws or actions to prevent or eliminate child labor during the year. Authorities most commonly enforced the law in response to complaints of children begging on the streets.

Most child labor involved children from other countries, including Yemen and Ethiopia, forced into begging rings, street vending, and work in family businesses.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations do not prohibit discrimination on the basis of race, color, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation or gender identity, age, language, or HIV-positive status. Discrimination with respect to employment and occupation occurred with respect to all these categories.
The Ministry of Labor and Social Development explicitly approved and encouraged the employment of women in specific sectors, particularly in government, but women faced many discriminatory regulations. The third-quarter 2016 Labor Force Survey report by the General Authority for Statistics found that Saudi girls and women (15 years of age and above) constituted 22 percent of the country’s total labor force (Saudi and non-Saudi, 15 years of age and above). The same report estimated that women and girls, both Saudi and foreign, represented 17 percent of all employed persons (15 years of age and above) in the country. Most non-Saudi women were employed as domestic workers. Rules limited the type of work women were allowed to perform, required them to wear a veil in most workplaces, and enforced gender segregation in the workplace on penalty of fines.

There is no regulation requiring equal pay for equal work. In the private sector, the average monthly wage of Saudi women workers was 58 percent of the average monthly wage of Saudi men. The labor dispute settlement bodies did not register any cases of discrimination against women.

Regulations ban women from 24 professions, mostly in heavy industry, but create guidelines for women to telework. Nevertheless, some factories and manufacturing facilities, particularly in the Eastern Province, employed men and women, who worked separate shifts during different hours of the day. Despite gender segregation, the law grants women the right to obtain business licenses with the approval of their guardians, and women frequently obtained licenses in fields that might require them to supervise foreign workers, interact with male clients, or deal with government officials. It is against the law for a potential employer to ask a female applicant for her guardian’s permission when she applies for a job. In medical settings and the energy industry, women and men worked together, and in some instances, women supervised male employees. Women who work in establishments with 50 or more female employees have the right to maternity leave and childcare.

Discrimination with respect to religious beliefs occurred in the workplace. Members of the Shia community complained of discrimination based on their religion and had difficulty securing or being promoted in government positions. Shia were significantly underrepresented in national security-related positions, including the Ministries of Defense and Interior and the National Guard. In predominantly Shia areas, Shia representation was higher in the ranks of traffic police, municipalities, and public schools. A very small number of Shia occupied high-level positions in government-owned companies and government agencies.
(see section 3, Participation of Women and Minorities). Shia were also underrepresented in employment in primary, secondary, and higher education.

Discrimination against Asian and African migrant workers occurred (see section 6, National/Racial/Ethnic Minorities). The King Abdulaziz Center for National Dialogue continued programs that sought to address some of these problems and provided training during the year to combat discrimination against national, racial, or ethnic groups. There were numerous cases of assault on foreign workers and reports of worker abuse.

Informal discrimination in employment and occupation occurred on the basis of sex, gender, race, religion, and sexual orientation or gender identity.

On March 29, the Ministry of Interior’s General Directorate of Passports announced a national campaign to identify, arrest, fine, and deport individuals found in violation of the kingdom’s residency laws under the title of “Nation Without Violators.” The campaign began with a 90-day grace period or general amnesty to allow irregular migrants to depart the kingdom “without penalty,” after which authorities extended the grace period in coordination with international organizations. The Human Rights Committee reported that law enforcement agencies had been trained in screening vulnerable populations for human trafficking indicators and the campaign was being carried out in accordance with antitrafficking in persons protections.

**e. Acceptable Conditions of Work**

The monthly minimum wage for public sector employees was 3,000 riyals ($800). There was no private sector minimum wage for foreign workers; the government’s “Nitaqaat” (Saudization) program effectively set a general minimum private sector wage for citizens at 3,000 riyals ($800) per month.

An estimated 7.41 million noncitizens, including approximately 666,000 noncitizen women, made up approximately 57 percent of the labor force, according to the General Authority for Statistics third-quarter 2016 Labor Force Survey. Legal workers generally negotiated and agreed to work conditions prior to their arrival in the country, in accordance with the contract requirements contained in the labor law.
The law provides penalties of between 500 and 1,000 riyals ($133 and $267) for bringing foreigners into the country to work in any service, including domestic service, without following the required procedures and obtaining a permit.

The labor law provides for regular safety inspections and enables ministry-appointed inspectors to examine materials used or handled in industrial and other operations and to submit samples of suspected hazardous materials or substances to government laboratories. The Ministry of Health’s Occupational Health Service Directorate worked with the Ministry of Labor and Social Development on health and safety matters. Regulations require employers to protect some workers from job-related hazards and disease, although some violations occurred. These regulations did not cover farmers, herders, domestic servants, or workers in family-operated businesses. Foreign nationals privately reported frequent failures to enforce health and safety standards. The ministry employed nearly 1,000 labor inspectors.

The law requires that a citizen or business must sponsor foreign workers in order for them to obtain legal work and residency status, although the requirement exempts Syrian and Yemeni nationals who overstayed their visas. The ministry implemented measures allowing noncitizen workers to switch their employer to a new employer or company that employed a sufficient quota of Saudi nationals. Despite these revised measures, some workers were unaware of the new regulations and had to remain with their sponsor until completion of their contract or seek the assistance of their embassy to return home. There were also instances in which sponsors bringing noncitizen workers into the country failed to provide them with a residency permit, which undermined the workers’ ability to access government services or navigate the court system in the event of grievances. Sponsors with commercial or labor disputes with foreign employees also could ask authorities to prohibit employees from departing the country until the dispute was resolved; however, authorities would not jail or forcibly return fleeing workers within a 72-hour period in order to obtain an exit visa and depart the country as long as they did not have criminal charges or outstanding fines pending against them.

Bilateral labor agreements set conditions on foreign workers’ minimum wage, housing, benefits including leave and medical care, and other topics. These provisions were not drafted in line with international standards, and they varied depending on the sending country’s relative bargaining power. The labor law and the law against trafficking provide penalties for abuse of such workers.
The government engaged in news campaigns highlighting the plight of abused workers, trained law enforcement and other officials to combat trafficking in persons, and worked with the embassies of labor-sending countries to disseminate information about labor rights to foreign workers. As in previous years, during Ramadan the HRC broadcast a public awareness program on television emphasizing the Islamic injunction to treat employees well.

The government did not always enforce the laws protecting migrant workers effectively. Many migrant workers were employed on terms to which they had not agreed and experienced problems, such as delays in the payment of wages, changes in employer, or changed working hours and conditions. Migrant workers, especially domestic workers, were vulnerable to abuse, exploitation, and conditions contravening labor laws, including nonpayment of wages, working for periods in excess of the 48-hour workweek, working for periods longer than the prescribed eight-hour workday, and restrictions on movement due to passport confiscation. There were also reports of physical and verbal abuse.

Many noncitizen workers, particularly domestic employees, were not able to exercise their right to remove themselves from dangerous situations. Some employers physically prevented workers from leaving or threatened them with nonpayment of wages if they left. Sponsoring employers, who controlled foreign workers’ ability to remain employed and in the country, usually held foreign workers’ passports, a practice prohibited by law. In some contract disputes, a sponsor held the employee in the country until resolution of the dispute to force the employee to accept a disadvantageous settlement or risk deportation without any settlement.

Foreign workers could contact the labor offices of their embassies for assistance. During the year hundreds of domestic workers, the majority of whom were female, sought shelter at their embassies, some fleeing sexual abuse or other violence by their employers. Some embassies maintained safe houses for citizens fleeing situations that amounted to bondage. The workers usually sought legal help from embassies and government agencies to obtain end-of-service benefits and exit visas.

In addition to their embassies, domestic servants could contact the NSHR, the HRC, the governmental Interministerial General Secretariat to Combat Human Trafficking, and the Migrant Workers’ Welfare Department, which provided services to safeguard migrant workers’ rights and protect them from abuse.
Workers could also apply to the offices of regional governors and lodge an appeal with the Board of Grievances against decisions by those authorities.
Tab 8
SAUDI ARABIA 2016 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Kingdom of Saudi Arabia is a monarchy ruled by King Salman bin Abdulaziz Al Saud, who is both head of state and head of government. The government bases its legitimacy on its interpretation of sharia (Islamic law) and the 1992 Basic Law, which specifies that the rulers of the country shall be male descendants of the founder, King Abdulaziz bin Abdulrahman Al Saud. The Basic Law sets out the system of governance, rights of citizens, and powers and duties of the government, and it provides that the Quran and Sunna (the traditions of the Prophet Muhammad) serve as the country’s constitution. In December 2015 the country held municipal elections on a nonparty basis for two-thirds of the 3,159 seats on the 284 municipal councils around the country. Independent polling station observers identified no significant irregularities with the election. For the first time, women were allowed to vote and run as candidates.

Civilian authorities generally maintained effective control over the security forces.

The most important human rights problems reported included citizens’ lack of the ability and legal means to choose their government; restrictions on universal rights, such as freedom of expression, including on the internet, and the freedoms of assembly, association, movement, and religion; and pervasive gender discrimination and lack of equal rights that affected most aspects of women’s lives.

Other human rights problems reported included: a lack of judicial independence and transparency that manifested itself in denial of due process and arbitrary arrest and detention; a lack of equal rights for children and noncitizen workers; abuses of detainees; overcrowding in prisons and detention centers; investigating, detaining, prosecuting, and sentencing lawyers, human rights activists, and antigovernment reformists; holding political prisoners; arbitrary interference with privacy, home, and correspondence; and a lack of equal rights for children and noncitizen workers. Violence against women; trafficking in persons; and discrimination based on gender, religion, sect, race, and ethnicity were common. Lack of governmental transparency and access made it difficult to assess the magnitude of many reported human rights problems.

The government identified, prosecuted, and punished a limited number of officials who committed abuses, particularly those engaged or complicit in corruption.
Some members of the security forces and other senior officials reportedly committed abuses with relative impunity.

The country continued air and ground operations in Yemen as leader of a military coalition formed in March 2015 to counter the 2014 overthrow of the internationally recognized Republic of Yemen government in Sana’a by Houthi rebels allied with forces loyal to former president Ali Abdullah Saleh. Saudi-led coalition airstrikes in Yemen resulted in civilian casualties and damage to infrastructure on multiple occasions, and the United Nations and nongovernmental organizations (NGOs), such as Human Rights Watch (HRW) and Amnesty International, claimed that some coalition airstrikes were disproportionate or indiscriminate and appeared not to sufficiently minimize collateral impact on civilians. Houthi-Saleh militias conducted cross-border raids into Saudi territory and fired missiles and artillery into southern Saudi Arabia throughout the year, killing Saudi civilians. The coalition’s Joint Incident Assessment Team, established by the government and based in Riyadh, investigated some incidents of coalition airstrikes that reportedly resulted in civilian casualties and published recommendations, although no prosecutions resulted.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

There was one allegation that the government or its agents committed arbitrary or unlawful killings within the country. On March 3, Makki al-Orayedh died while in police custody after police detained him on March 1 at a checkpoint in Awamiya. On March 5, the European Saudi Organization for Human Rights (ESOHR) claimed police tortured al-Orayedh to death. According to ESOHR, authorities claimed al-Orayedh died due to “a psychological state of fear.” Local media did not report on whether authorities investigated his death.

Under the country’s interpretation and practice of sharia, capital punishment can be imposed for a range of nonviolent offenses, including apostasy, sorcery, and adultery, although in practice death sentences for such offenses were rare and often reduced on appeal. The law requires a five-judge appellate court to affirm a death sentence, which then must be unanimously affirmed by the Supreme Judicial Council; defendants are generally able to appeal their sentences. Closed court proceedings in some capital cases, however, made it impossible to determine whether authorities allowed the accused to present a defense or afforded minimum
due process rights. Since the country lacks a written penal code listing criminal offenses and the associated penalties for them (see section 1.e.), punishment—including the imposition of capital punishment—is subject to considerable judicial discretion in the courts. In addition, there is no right under the law to seek a pardon or commutation of a death sentence for all crimes. The law of criminal procedure provides that the king may issue a pardon “on pardonable matters” for public crimes only. Such pardons are generally issued annually during the holy month of Ramadan, in advance of which the Ministry of Interior publishes a list of terms and conditions defining eligibility to receive a royal pardon (see also section 1.d.). The stated conditions generally exclude specific criminal categories, for example, those convicted of crimes involving state security. The law of criminal procedure states that a victim’s heirs may grant a pardon for private crimes.

On January 2, authorities executed 47 individuals. Among them was prominent Shia cleric and political activist Nimr al-Nimr, who was charged with inciting terrorism and sedition, interfering in the affairs of another country, disobeying the country’s guardians, attacking security personnel during his arrest, and meeting with wanted criminals. International human rights organizations claimed al-Nimr was executed because of his sermons criticizing authorities and calling attention to discrimination against Saudi Shia. Local and international human rights organizations noted that his trial before the Specialized Criminal Court (SCC) lacked transparency and did not adhere to minimum fair trial standards.

On December 6, the SCC handed down initial death sentences to 15 individuals and sentenced 15 others to prison terms for spying for Iran; two additional individuals were acquitted. As of year’s end, the sentences were under appeal. HRW issued a report in May that claimed there were multiple due process violations in the trials of the men, many of whom were reportedly Shia. HRW further claimed that they had been held incommunicado in pretrial detention for a prolonged period without access to legal counsel and that, before and throughout court proceedings, their legal counsel was not able to review the evidence against them.

The government also imposes death sentences for crimes committed by minors. According to accounts from local and international human rights organizations, family members, and local media, at least three individuals executed on January 2—Mustafa Abkar, Ali al-Ribh, and Amin al-Ghamidi—may have been minors when they allegedly committed the crimes for which they were convicted.
On July 27, the SCC in Riyadh sentenced Abdulkareem al-Hawaj to death for crimes he allegedly committed in 2012 at age 16, including “throwing two Molotov cocktails,” “participating in riots that resulted in the shooting of an armored vehicle,” “participating in illegal gatherings,” “chanting against the state,” and using social media “to insult the leaders,” according to a September 9 Amnesty International report. As of year’s end, the sentence was under appeal.

In September 2015 the Supreme Court affirmed the 2014 death sentence for Ali Mohammed Baqir al-Nimr, the nephew of Nimr al-Nimr, who was convicted of crimes he allegedly committed when he was 17. Al-Nimr was charged with protesting, making, and throwing Molotov cocktails at police, aiding and abetting fugitives, attempting to attack security vehicles, encouraging others to participate in protests, and involvement with individuals who possessed and distributed ammunition, according to some media sources whose accuracy could not be verified. Human rights organizations reported due process concerns relating to minimum fair trial standards, including allegations that authorities arrested al-Nimr without a warrant, obtained a confession using torture, and repeatedly denied him access to his lawyer during the sentencing and appeals process. In September and October 2015, the Supreme Court upheld death sentences for Dawood al-Marhoon and Abdullah al-Zaher, convicted of crimes allegedly committed when they were 17 and 15, respectively. As of year’s end, these executions had not been carried out.

Executions were sometimes conducted for nonviolent offenses. HRW reported that as of July 27, authorities had executed 13 persons for nonviolent crimes related to drug smuggling.

Suicide bombers conducted a number of attacks throughout the year, killing both civilians and government security forces; Da’esh claimed responsibility for some of those attacks. A January 29 attack on a Shia mosque in al-Ahsa left five dead and 18 wounded. An April 28 attack on a police station, also in al-Ahsa, injured one police officer. On July 4, suicide bombers conducted apparently coordinated attacks in Medina, Qatif, and Jeddah. In Medina a suicide bomber detonated an explosives belt outside of the Prophet’s mosque, killing four persons and wounding five. In Qatif three suicide bombers detonated explosives belts outside a mosque but did not harm anyone else in the incident. In Jeddah a suicide bomber detonated an explosives belt near a foreign consulate in Jeddah, injuring two police officers.

b. Disappearance
There were no reports of politically motivated disappearances (for information on detentions without prompt notification of charges or release, see section 1.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and holds criminal investigation officers accountable for any abuse of authority. Sharia, as interpreted in the country, prohibits judges from accepting confessions obtained under duress. Statutory law provides that public investigators shall not subject accused persons to coercive measures to influence their testimony.

There were no confirmed reports of torture by government officials during the year, but numerous prisoners were serving sentences based on confessions they claimed were obtained through torture or mistreatment. Amnesty International, HRW, and other human rights organizations reported cases in which the SCC based its decisions on confessions allegedly obtained through torture and admitted as evidence. The UN Committee against Torture also noted that courts admitted coerced confessions as evidence. According to the committee, SCC judges “repeatedly refused to act on claims made by defendants facing terrorism charges that they were subjected to torture or ill-treatment during interrogations for the purpose of compelling a confession, including in the cases of Fadhel al-Manasif, Ali al-Nimr, Dawoud al-Marhoun, and Abdullah al-Zaher” (see section 1.a.). In 2015 the Supreme Court upheld death sentences for al-Nimr, al-Marhoon, and al-Zaher (see section 1.a.), as well as other Shia activists who claimed that authorities tortured them to obtain confessions. Amnesty International reported that Ali al-Nimr said authorities obtained his confession under torture during interrogation sessions held during six months of pretrial detention in 2012.

The UN committee also reported that complaints of torture and mistreatment by members of the Commission for the Promotion of Virtue and Prevention of Vice (CPVPV) were rarely investigated, creating a climate of impunity. On April 10, the cabinet (or Council of Ministers) issued a decree stripping the CPVPV of authority to pursue suspects, ask for their identification, and arrest or detain them.

Former detainees in facilities run by the General Investigations Directorate (the country’s internal security forces, also known as “Mabahith”) alleged that abuse included sleep deprivation or long periods of solitary confinement for nonviolent detainees. Former detainees in Mabahith-run al-Ha’ir Prison claimed that, while physical abuse was uncommon in detention, Mabahith officials sometimes resorted
to mental or psychological abuse of detainees, particularly during the interrogation phase. Ministry of Interior officials claimed that rules prohibiting torture prevented such practices from occurring in the penal system. The ministry installed surveillance cameras to record interrogations of suspects in criminal investigation offices, some police stations, and in prisons where such interrogations regularly occurred, such as the ministry’s General Investigations Directorate/Mabahith prison facilities.

Representatives from the governmental Human Rights Commission (HRC) and the quasi-governmental National Society for Human Rights (NSHR), supported by a trust funded by the estate of the late King Fahd, conducted prison visits to ascertain whether torture occurred in prisons or detention centers and maintained permanent branches in eight facilities. Independent institutions did not conduct regular, unannounced visits to places of detention, according to the UN Committee against Torture.

The courts continued to use corporal punishment as a judicial penalty, usually in the form of floggings, whippings, or lashings, a common punishment that government officials defended as dictated by sharia. According to local human rights activists, police conducted the floggings according to a set of guidelines determined by local interpretation of sharia. The police official administering the punishment must place a copy of the Quran under his arm that prevents raising the hand above the head, limiting the ability to inflict pain on the person subjected to the punishment, and instructions forbid police from breaking the skin or causing scarring when administering the lashes.

In February a Saudi appeals court returned a death sentence from the Abha General Court for Ashraf Fayadh, a Saudi resident of Palestinian origin, whom the court had found guilty of apostasy, spreading atheism, threatening the morals of Saudi society, and having illicit relations with women. He was sentenced to death for apostasy because of poetry he wrote was deemed offensive to Islam. The lower court then commuted his death sentence to an eight-year prison term and 800 lashes while maintaining the guilty verdict.

In February the Medina Criminal Court reportedly sentenced a 28-year-old man to 10 years in prison and 2,000 lashes for expressing his atheism on Twitter, according to the local newspaper *al-Watan*.

There were no reported cases of judicially administered amputation during the year.
Prison and Detention Center Conditions

Prison and detention center conditions varied, and some did not meet international standards.

Physical Conditions: Juveniles constituted fewer than 1 percent of detainees and were held in separate facilities from adults, according to available information. Although information on the maximum capacity of the facilities was not available, overcrowding in some detention centers was reported to be a problem. Violations listed in NSHR reports following prison visits documented shortages of and improperly trained wardens and lack of prompt access to medical treatment when requested. Some detained individuals complained about lack of access to adequate health-care services, including medication. Some prisoners alleged that prison authorities maintained cold temperatures in prison facilities and deliberately kept lights on 24 hours a day to make prisoners uncomfortable.

Human rights activists reported that deaths in prisons, jails, or pretrial detention centers were infrequent. In May local media reported that two female inmates died at a rehabilitation center at the Malaz Prison, but the circumstances of their death were unclear.

Authorities held pretrial detainees together with convicted prisoners. They separated persons suspected or convicted of terrorism offenses from the general population but held them in similar facilities. Activists alleged that authorities sometimes detained individuals in the same cells as individuals with mental disabilities as a form of punishment and indicated that authorities mistreated persons with disabilities.

Administration: There were multiple legal authorities for prisons and detention centers. Local provincial authorities administered approximately 90 local jails, and the Ministry of Interior administered approximately 20 regional prisons and detention centers. Recordkeeping on prisoners was inadequate; there were reports authorities held prisoners after they had completed their sentences. A Ministry of Interior-run website provided detainees and their relatives access to a database containing information about the legal status of the detainee, including any scheduled trial dates.

Authorities differentiated between violent and nonviolent prisoners, sometimes pardoning nonviolent prisoners to reduce the prison population. Certain prisoners
convicted on terrorism-related charges were required to participate in government-sponsored rehabilitation programs before being considered for release.

No ombudsmen were available to register or investigate complaints made by prisoners, although prisoners could and did submit complaints to the HRC and the NSHR for investigation. There was no information available on whether prisoners were able to submit complaints to judicial authorities without censorship or whether authorities investigated credible allegations of inhuman conditions and treatment and made them public.

Authorities generally permitted relatives and friends to visit prisoners twice a week, although certain prisons limited visitation to once every 15 days, and there were reports that prison officials denied this privilege in some instances. The families of detainees could access a website for the Ministry of Interior’s General Directorate of Prisons that contained forms to apply for prison visits, temporary leave from prison (generally approved around the post-Ramadan Eid holidays), and release on bail (for pretrial detainees). Family members of detained persons complained that authorities canceled scheduled visits with their relatives without reason.

Authorities permitted Muslim detainees and prisoners to perform religious observances such as prayers, but prison authorities in Mabahith prison facilities reportedly did not arrange for detainees to conduct Friday Islamic congregational prayer services.

HRW reported that activist Khalid al-Umair remained in prison following the completion of his eight-year sentence on October 5. Al-Umair was arrested in 2009 for attempting to protest against Israel’s military operations in Gaza. A Gulf-based NGO reported that, as of November 3, al-Umair was transferred from al-Ha’ir Prison to Mohammed bin Nayef Counseling and Care Center in preparation for his release; he remained there at year’s end.

Independent Monitoring: No independent human rights observers visited prisons or detention centers during the year. The government permitted foreign diplomats to visit prison facilities to view general conditions in nonconsular cases. In a limited number of cases, foreign diplomats visited individuals in detention, but the visits took place in a separate visitors’ center where conditions may have differed from those in the detention facilities holding the prisoners. The most recent prison visit conducted by an independent human rights organization was a 2006 visit by HRW. In August security officials stated they permitted foreign journalists to visit
a security prison in Jeddah during the year. The government permitted the governmental HRC and domestic quasi-governmental organizations, such as the NSHR, to monitor prison conditions. The organizations stated they visited prisons throughout the country and reported on prison conditions. The NSHR monitored health care in prisons and brought deficiencies to the attention of the Ministry of Interior. In 2015 the NSHR documented 422 prison-related complaints, including lack of access to medical care, poor hygiene and sanitation, overcrowding, poor ventilation, and understaffing.

d. Arbitrary Arrest or Detention

The law provides that no entity may restrict a person’s actions or imprison a person, except under provisions of the law. The law of criminal procedure provides that authorities may not detain a person for more than 24 hours, except pursuant to a written order from a public investigator. Authorities must inform the detained person of the reasons for detention. Regardless, the Ministry of Interior, to which the majority of forces with arrest powers reported, maintained broad authority in law and in practice to arrest and detain persons indefinitely without judicial oversight, notification of charges against them, or effective access to legal counsel or family. Authorities held persons for months and sometimes years without charge or trial and reportedly failed to advise them promptly of their rights, including their legal right to be represented by an attorney. Under the law detentions can be extended administratively for up to six months at the discretion of the Bureau of Investigation and Public Prosecution.

The 2014 counterterrorism law provides that an investigatory body may detain an individual accused of any crime under that law for a period of six months and may extend the detention an additional six months. By law, defendants accused of any crime cited in the law are entitled to hire a practicing lawyer to defend themselves before the court “within an adequate period of time to be decided by the investigatory body.”

Role of the Police and Security Apparatus

The king and the Ministries of Defense and Interior, in addition to the Ministry of National Guard, are responsible for law enforcement and maintenance of order. The Ministry of Interior exercises primary control over internal security and police forces. The civil police and the internal security police have authority to arrest and detain individuals. Military and security courts investigated abuses of authority and security force killings. Civilian authorities maintained effective control over
security forces, and the government had mechanisms to investigate and punish abuse and corruption. There were no confirmed reports of impunity involving the security forces during the year, although the UN Committee against Torture noted that the lack of frequent investigations into abuses created a climate of impunity (see section 1.c.).

The CPVPV, which monitors public behavior to enforce strict adherence to the official interpretation of Islamic norms, reports to the king via the Royal Diwan (royal court) and to the Ministry of Interior. In 2015 the CPVPV had 533 offices throughout the kingdom. In April the cabinet issued regulations severely curtailing the CPVPV’s enforcement powers. The new regulations prohibit CPVPV officers from investigating, detaining or arresting, or requesting the identification of any individual and limit their activities to providing counseling and reporting individuals suspected of violating the law to police or other authorities. Evidence available at year’s end indicated that CPVPV officers were less visibly present and active after implementation of the new strictures.

Ministry of Interior police and security forces were generally effective at maintaining law and order. The Board of Grievances (“Diwan al-Mazalim”), a high-level administrative judicial body that specializes in cases against government entities and reports directly to the king, is the only formal mechanism available to seek redress for claims of abuse. Citizens may report abuses by security forces at any police station, to the HRC, or to the NSHR. The HRC and NSHR maintained records of complaints and outcomes, but privacy laws protected information about individual cases, and information was not publicly available. During the year the Board of Grievances held hearings and adjudicated claims of wrongdoing, but there were no reported prosecutions of security force members for human rights violations. The HRC, in cooperation with the Ministry of Education, provided materials and training to police, security forces, and the CPVPV on protecting human rights.

Officers of the Mabahith also have broad authorities to investigate, detain, and forward to judicial authorities “national security” cases—which ranged from terrorism cases to dissident and human rights activist cases—separate from the Bureau of Investigation and Public Prosecution (BIPP). A 2014 Ministry of Justice decree formalized and reaffirmed the role of the SCC, founded in 2008 to try terrorism offenses, following the promulgation of a counterterrorism law that year.

The BIPP and the Control and Investigation Board are the two units of the government with authority to investigate reports of criminal activity, corruption,
and “disciplinary cases” involving government employees. These bodies are responsible for investigating potential cases and referring them to the administrative courts. Legal authorities for investigation and public prosecution of criminal offenses are consolidated within the BIPP; the Control and Investigation Board is responsible for investigation and prosecution of noncriminal cases. All financial audit and control functions are limited to the General Auditing Board.

**Arrest Procedures and Treatment of Detainees**

According to the law of criminal procedure, “no person shall be arrested, searched, detained, or imprisoned except in cases provided by law, and any accused person shall have the right to seek the assistance of a lawyer or a representative to defend him during the investigation and trial stages.” By law, authorities may summon any person for investigation and may issue an arrest warrant based on evidence. In practice, however, authorities frequently did not use warrants, and warrants were not required in cases where probable cause existed.

The law requires that authorities file charges within 72 hours of arrest and hold a trial within six months, subject to exceptions specified by amendments to the law of criminal procedure and the counterterrorism law (see section 2.a.). Authorities may not legally detain a person under arrest for more than 24 hours, except pursuant to a written order from a public investigator. Authorities reportedly often failed to observe these legal protections, and there was no requirement to advise suspects of their rights. Judicial proceedings began after authorities completed a full investigation, which in some cases took years.

The law of criminal procedure specifies procedures required for extending the detention period of an accused person beyond the initial five days. As amended by royal decree in 2013, the law expands the number of individuals empowered to renew pretrial detentions for periods of up to six months to include the president of the BIPP and designated subordinates. The amended text allows authorities to approve official detentions in excess of six months in “exceptional circumstances,” effectively allowing individuals to be held in pretrial detention indefinitely. Another amendment extends from three months to six months the deadline for the BIPP to gather evidence against the accused and issue a warrant for the defendant’s arrest, summons, or detention. This provision is also contained in the counterterrorism law, subject to the approval of the extension by the SCC. Another amendment explicitly allows an individual to represent himself in court.
There is a functioning bail system for less serious criminal charges. Detainees generally did not have the right to obtain a lawyer of their choice. In normal cases the government typically provided lawyers to defendants, although defendants must make a formal application to the Ministry of Justice to receive a court-appointed lawyer and prove their inability to pay for their legal representation. Human rights activists often did not trust the courts to appoint lawyers for them due to concern the lawyer would be biased. The law contains no provision for the right to be informed of the protections guaranteed under the law.

Incommunicado detention was sometimes a problem. Authorities reportedly did not always respect a detainees’ right to contact family members following arrest, and the counterterrorism law allows the Ministry of Interior to hold a defendant for up to 90 days in detention without access to family members or legal counsel. Security and some other types of prisoners sometimes remained in detention for long periods before family members or associates received information of their whereabouts, particularly for detainees in Mabahith-run facilities.

**Arbitrary Arrest:** There were reports of arbitrary arrest and detention. During the year authorities detained without charge security suspects, persons who publicly criticized the government, Shia religious leaders, and persons who violated religious standards. Saleh al-Ashwan, a member of the Saudi Association for Political and Civil Rights (ACPRA), was detained in 2012 and held without charge until 2016, when the SCC sentenced him to five years in prison and a five-year travel ban, according to human rights organizations. In November the UN Working Group on Arbitrary Detention renewed its call “for the immediate release of [nine] detainees and the provision of reparations for the harm caused” on the anniversary of the expert panel’s formal opinion that the detentions of human rights activists Sulaiman al-Rashudi, Abdullah al-Hamid, Mohammed al-Qahtani, Abdulkareem Yousef al-Khoder, Mohammed Saleh al-Bajadi, Omar al-Hamid al-Sa’id, Raif Badawi, Fadhel al-Manasif, and Waieed Abu al-Khair were arbitrary. The statement also called for “other [unnamed] prisoners being held in similar circumstances” to be freed.

**Pretrial Detention:** Lengthy pretrial detention was a problem. In the past local unlicensed NGOs, such as ACPRA and the Adala Center for Human Rights, challenged the Ministry of Interior publicly and in court on cases considered to involve arbitrary arrest or detention. The two NGOs ceased operating in 2013 and 2014, respectively, after authorities ordered them disbanded. ACPRA claimed the ministry sometimes ignored judges’ rulings (see section 2.b.).
There was no information available on the percentage of the prison population in pretrial detention or the average length of time held. Local human rights activists knew of dozens of cases and reportedly received regular reports from families claiming authorities held their relatives arbitrarily or without notification of charges.

During the year the Ministry of Interior stated it had detained numerous individuals for terrorist acts. On September 29, local media reported there were 5,277 terrorist suspects detained by the Ministry of Interior in public security prisons.

**Detainee’s Ability to Challenge Lawfulness of Detention before a Court:**
Detainees are not entitled under the law to challenge the lawfulness of their detention before a court. In the case of wrongful detention, the law of criminal procedure, as well as provisions of the counterterrorism law, provide for the right to compensation if detainees are found to have been held unlawfully.

**Amnesty:** The king continued the tradition of commuting some judicial punishments. Royal pardons sometimes set aside a conviction and sometimes reduced or eliminated corporal punishment. The remaining sentence could be added to a new sentence if the pardoned prisoner committed a crime subsequent to release.

Authorities did not detain some individuals who had received prison sentences. The counterterrorism law allows the interior minister to stop proceedings against an individual who cooperates with investigations or helps thwart a planned terrorist attack. The minister may also release individuals already convicted on such charges.

**e. Denial of Fair Public Trial**

The law provides that judges are independent and not subject to any authority other than the provisions of sharia and the laws in force. Nevertheless, the judiciary was not independent, as it was required to coordinate its decisions with executive authorities, with the king as final arbiter. Although public allegations of interference with judicial independence were rare, the judiciary reportedly was subject to influence, particularly in the case of legal decisions rendered by specialized judicial bodies, such as the SCC, which rarely acquitted suspects. Human rights activists reported that SCC judges received implicit instructions to issue harsh sentences against human rights activists, reformers, journalists, and dissidents not engaged in violent activities.
There were some reports during the year of courts exercising jurisdiction over senior members of the royal family. In October multiple media reported that Prince Turki bin Saud al-Kabir, a member of the royal family, was executed after having been found guilty of murder. In November, the Okaz newspaper reported that an unidentified prince was lashed in a Jeddah prison as part of a court-ordered sentence that also included time in prison.

**Trial Procedures**

In the judicial system, there is no case law (in the form of published judicial opinions), no uniform criminal code, and no doctrine of stare decisis that binds judges to follow a legal precedent. The law states that defendants should be treated equally in accordance with sharia. The Council of Senior Scholars (CSS), or the “ulema”, an autonomous advisory body, issues religious opinions (fatwas) that guide how judges interpret sharia.

In the absence of a penal code detailing all criminal offenses and punishments, judges in the courts determine many of these penalties through their interpretations of sharia, which varied according to the judge and the circumstances of the case. Because judges have considerable discretion in decision making, rulings and sentences diverged widely from case to case. Several laws passed in the last decade, however, provide sentencing requirements for crimes including terrorism, cybercrimes, trafficking in persons, and domestic abuse. In December the Ministry of Justice completed a compilation of previous decisions that judges could refer to as a point of reference in making rulings and assigning sentences.

According to judicial procedures, appeals courts cannot independently reverse lower court judgments; they are limited to affirming judgments or returning them to a lower court for modification. Even when judges did not affirm judgments, appeals judges in some cases remanded the judgment to the judge who originally authored the opinion. This procedure sometimes made it difficult for parties to receive a ruling that differed from the original judgment in cases where judges hesitated to admit error. While judges may base their decisions on any of the four Sunni schools of jurisprudence, all of which are represented in the CSS, the Hanbali school predominates and forms the basis for the country’s law and legal interpretations of sharia. Shia citizens use their legal traditions to adjudicate family law cases between Shia parties, although either party can decide to adjudicate a case in state courts, which use Sunni legal tradition.
According to the law, there is no presumption of innocence. While the law states that court hearings shall be public, courts may be closed at the judge’s discretion. As a result, many trials during the year were closed. Foreign diplomatic missions were able to obtain permission to attend nonconsular court proceedings (that is, cases to which neither the host country nor any of its nationals were a party; diplomatic missions are generally allowed to attend consular proceedings of their own nationals), and they did so throughout the year. To attend, authorities required diplomats to obtain advance written approval from the Ministry of Foreign Affairs, the Ministry of Justice, the court administration, and the presiding judge. Authorities sometimes did not permit entry to such trials to individuals other than diplomats who were not the legal agents or family members of the accused. SCC officials sometimes prevented individuals from attending trial sessions for seemingly trivial reasons, such as banning female relatives or diplomats from attending due to the absence of women officers to inspect the women upon entry to the courtroom. According to the Ministry of Justice, authorities may close a trial depending on the sensitivity of the case to national security, the reputation of the defendant, or the safety of witnesses.

Representatives of the HRC, the Ministry of Justice, and sometimes representatives of the media regularly attended trials at the SCC.

Amendments to the law of criminal procedure in 2013 strengthened provisions stating that authorities will offer defendants a lawyer at government expense. Human rights activists, however, reported that the process for applying for a court-appointed lawyer was difficult and cumbersome, and many said they did not trust the process due to concern that the lawyer would be biased.

The law provides defendants the right to be present at trial and to consult with an attorney during the investigation and trial. The counterterrorism law, however, limits the right of defendants accused of terrorism to access legal representation while under investigation and provides for that access only after an unspecified period of time, “before the matter goes to court within a timeframe determined by the investigative entity.” There is no right to discovery or inspection of government-held evidence, nor can defendants view their own file, the minutes from their interrogation, or all of the evidence against them. Defendants may request to review evidence, but the court decides whether to grant the request. Defendants also have the right to call and cross-examine witnesses. The law provides that a BIPP-appointed investigator questions the witnesses called by the defendant during the investigation phase before the initiation of a trial and may hear testimony of additional witnesses he deems necessary to determine the facts.
Authorities may not subject a defendant to any coercive measures or compel the taking of an oath. The court must inform convicted persons of their right to appeal rulings.

The law does not provide for free interpretation services. The law of criminal procedure provides only that “the court should seek the assistance of interpreters,” but it does not obligate the court to do so from the moment the defendant is charged, nor does the law specify that the state will bear the costs of such services.

While sharia, as interpreted by the government, applies to all citizens and noncitizens, the law and practice discriminate against women, noncitizens, nonpracticing Sunni, Shia, and persons of other religions. For example, in most cases a woman’s testimony before a court counts as only half that of a man’s. Judges may discount the testimony of nonpracticing Sunni Muslims, Shia Muslims, or persons of other religions; sources reported that judges sometimes completely disregarded or refused to hear testimony by Shia.

Among many reports of abuses or violations of due process rights was that of Mohammed Saleh al-Bajady, a political dissident and founding member of ACPRA. Authorities originally arrested al-Bajady in 2011 for his leadership role in ACPRA and for publicly demanding political and legal reforms, including calls for a constitutional monarchy in the kingdom and protection for freedom of expression and association. During al-Bajady’s trial, the court denied observers access to hearings and refused to allow his lawyer access to the courtroom. In 2012 authorities sentenced him to four years’ imprisonment and a subsequent five-year international travel ban. He was released in 2013, but a week later, authorities reincarcerated him. In 2014 authorities announced they would retry al-Bajady before the SCC in relation to his human rights activities. In March 2015 the SCC sentenced al-Bajady to 10 years in prison; a court of appeals reportedly reduced the sentence to eight years, with four years suspended and including time served. In November 2015 al-Bajady was released from prison to a rehabilitation program, then to a Ministry of Interior “rest house,” and fully released on April 7, but with a travel ban until 2020.

On September 5, the SCC sentenced one of ACPRA’s members, Omar al-Sa’id, to seven years in prison, followed by a 10-year travel ban, on charges for which he had reportedly already been tried, convicted, and served time. In 2013 authorities detained al-Sa’id and the Buraydah Criminal Court initially sentenced him to 300 lashes and four years in prison for calling for a constitutional monarchy and criticizing the country’s human rights record. The case was returned on appeal to
the issuing court and then transferred to the SCC, which ruled in November 2015 to reduce his sentence to two and one-half years, including time already served. He was released in December 2015 upon completion of the sentence. Following his release, the case was reopened, and the SCC subsequently issued the September 5 ruling that increased his sentence from two and one-half to seven years in prison; al-Said remained in detention at year’s end.

In 2014 authorities retried human rights lawyer Waleed Abu al-Khair before the SCC, and the court handed down a 15-year sentence, with a subsequent 15-year international travel ban after his release and a fine of 200,000 riyals ($53,300), upheld on appeal in January 2015. Previously, the Jeddah Criminal Court sentenced him to a three-month prison term on a virtually identical set of charges, all of which related to his human rights work, public calls for reform, criticisms of government policies and officials, and his role in founding an unlicensed NGO, the Monitor for Human Rights in Saudi Arabia.

Political Prisoners and Detainees

The number of political prisoners, including detainees who reportedly remained in prolonged detention without charge, could not be reliably ascertained.

In many cases it was impossible to determine the legal basis for incarceration and whether the detention complied with international norms and standards. Those who remained imprisoned after trial, including persons who were political activists openly critical of the government, were often convicted of terrorism-related crimes, and there was not sufficient public information about the alleged crimes to judge whether they had a credible claim to being political prisoners. The SCC tried political and human rights activists each year for actions unrelated to terrorism or violence against the state.

International NGOs criticized the government for abusing its antiterrorism prerogatives to arrest some members of the political opposition who had not espoused or committed violence and detain them on security-related grounds. High-profile prisoners were generally treated well. Authorities sometimes restricted legal access to detainees; no international humanitarian organizations had access to them.

On December 1, an SCC appellate court increased the initial sentence issued on April 24 for Eissa al-Hamid, a cofounder of ACPRA, from nine to 11 years in prison, followed by a travel ban of 11 years, and levied a fine of 100,000 riyals
($27,000) against him on charges that included “communicating false information to undermine the image of the state,” according to the Agence France-Presse. On May 29, the SCC sentenced ACPRA founding-member Abdulaziz al-Shobaily to eight years in prison, followed by an eight-year travel ban, on charges related to his membership in a human rights organization. On November 3, local media reported that the SCC in Qatif sentenced a citizen to 10 years’ imprisonment and a 50,000 riyals ($13,300) fine for joining ACPRA and sentenced another to 15 years’ imprisonment for sympathizing with Nimr al-Nimr and calling for demonstrations against the government.

In January 2015 authorities administered 50 lashes to Raif Badawi, a nonviolent activist and blogger sentenced to 10 years in prison and 1,000 lashes in 2014 on charges related to insulting Islam (see section 2.a.). As of year’s end, Badawi remained in Burayman Prison in Jeddah; authorities had not yet carried out the remainder of the lashing sentence.

In 2014 the SCC sentenced Shia activist Fadhel al-Manasif to 15 years in prison and a 15-year travel ban for breaking allegiance with the king and harming the country’s reputation, among other charges, according to media and NGO reporting.

Civil Judicial Procedures and Remedies

Complainants claiming human rights violations generally sought assistance from the HRC or the NSHR, which either advocated on their behalf or provided courts with opinions on their cases. The HRC generally responded to complaints and could refer cases to the BIPP; domestic violence cases were the most common. Individuals or organizations may petition directly for damages or government action to end human rights violations before the Board of Grievances, except in compensation cases related to state security where the SCC handles remediation. The counterterrorism law contains a provision allowing detainees in Mabahith-run prisons to request financial compensation from the Ministry of Interior for wrongful detention beyond their prison terms.

In some cases the government did not carry out judicially ordered compensation for unlawful detentions in a timely manner.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence
The law prohibits unlawful intrusions into the privacy of persons, their homes, places of work, and vehicles. Criminal investigation officers are required to maintain records of all searches conducted; these records should contain the name of the officer conducting the search, the text of the search warrant (or an explanation of the urgency that necessitated the search without a warrant), and the names and signatures of the persons who were present at the time of search. While the law also provides for the privacy of all mail, telegrams, telephone conversations, and other means of communication, the government did not respect the privacy of correspondence or communications and used the considerable latitude provided by law to monitor activities legally and intervene where it deemed necessary.

There were reports from human rights activists of governmental monitoring or blocking mobile telephone or internet usage before planned demonstrations. The government strictly monitored politically related activities and took punitive actions, including arrest and detention, against persons engaged in certain political activities, such as direct public criticism of senior members of the royal family by name, forming a political party, or organizing a demonstration. Customs officials reportedly routinely opened mail and shipments to search for contraband. In some areas Ministry of Interior informants allegedly reported “seditious ideas,” “antigovernment activity,” or “behavior contrary to Islam” in their neighborhoods.

The counterterrorism law allows the Ministry of Interior to access a terrorism suspect’s private communications as well as banking information in a manner inconsistent with the legal protections provided by criminal procedure law.

The CPVPV monitored and regulated public interaction between members of the opposite sex. In May local media reported that police, acting on information from the CPVPV, arrested one unrelated couple for traveling together in the same car and another unrelated couple for traveling together on a motorcycle.

g. Abuses in Internal Conflict

In March 2015, in response to a request from Yemeni president Abd Rabbuh Mansour Hadi for Arab League/Gulf Cooperation Council military intervention, Saudi officials announced the formation of a coalition to counter the 2014 overthrow of the legitimate government in Yemen by militias of the Ansar Allah movement (also known colloquially as “Houthis”) and forces loyal to former Yemeni president Ali Abdullah Saleh. Membership in the coalition included the United Arab Emirates, Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Somalia,
Sudan, and Senegal. The Saudi-led coalition conducted air and ground operations throughout 2015 and, to a more limited extent, between the months of April and August, as a result of a cease-fire agreement that limited air and ground operations during peace talks held in Kuwait. Following the suspension of the talks in August, the coalition resumed military operations.

**Killings:** NGOs, media, and humanitarian and international organizations reported on what they characterized as disproportionate and indiscriminate use of force by all parties to the conflict in Yemen, including the Saudi-led coalition.

Coalition airstrikes resulted in civilian casualties and damage to infrastructure on multiple occasions. For example, an airstrike on a funeral hall in Sanaa, Yemen, on October 8 killed at least 140 persons and wounded more than 500, including children, according to international media reports.

The UN high commissioner for human rights stated that between March 2015 and August 23, an estimated 3,799 civilians had been killed and 6,711 injured as result of the war in Yemen. His office released a report containing examples of possible violations of international humanitarian law and international human rights law by the coalition that had occurred through June, including those involving airstrikes on residential areas, marketplaces, and medical and educational facilities. On March 15, for example, coalition airstrikes allegedly killed 107 civilians, injured 37 civilians, and destroyed 16 shops in a market in Mustaba district of Hajjah Governorate.

The coalition’s Joint Incident Assessment Team (JIAT), established by the government, based in Riyadh, and consisting of military and civilian members from coalition member states, investigated some incidents of airstrikes that reportedly resulted in civilian casualties as well as claims by international organizations that humanitarian aid convoys and infrastructure were targeted by the coalition. On December 7, the JIAT released summaries of reports of five incidents, including the August 15 attack against a Doctors without Borders (MSF) facility in the Abs district of Hajjah Governorate. In August the JIAT released a press statement with summary findings of eight such investigations. The JIAT also issued a press statement on its initial investigation of the October 8 funeral hall airstrike, claiming that a Yemeni party passed the coalition information that inaccurately reported the funeral hall was a military target and recommending that action be taken against those who caused the incident. It recommended that the coalition review its rules of engagement and that families of the victims receive compensation. In addition, the JIAT recommended in two separate incidents an
investigation into potential violations of the rules of engagement and accountability for those involved in two other incidents. The JIAT was established by the government to identify lessons and corrective actions and to cue national accountability mechanisms, as appropriate. The JIAT’s investigations had not led to any prosecutions as of year’s end.

Houthi militias and forces allied with former president Saleh fired long-range missiles into or towards Saudi Arabia nearly 30 times between January 1 and December 31, according to the Center for Strategic and International Studies and media reports. Saudi media reported more than 40,000 projectiles had been launched into Saudi territory from Yemen since March 2015, destroying hospitals, schools, homes, and other infrastructure. In August media reported that authorities in Najran said Houthi-Saleh militias had partially or totally destroyed 1,074 homes and 108 commercial establishments since March 2015. More than 370 Saudi civilians were killed along the Saudi southern border in the same period, according to Saudi media reports.

Other Conflict-related Abuse: There were reports of restrictions on the free passage of relief supplies and of humanitarian organizations’ access to those individuals most in need, perpetrated by all sides in the conflict, including the Saudi-led coalition. Some media reported the Yemen government and/or the coalition delayed or denied clearance permits for humanitarian and commercial aid shipments bound for rebel-held Red Sea ports. Other sources reported the Houthi-Saleh militias’ forceful takeover and misadministration of Yemen government institutions led to dire economic consequences—the nonpayment of workers’ wages, unmaintained and unrepaired gantry cranes at ports where aid materiel was offloaded, and allegations of widespread corruption, including at checkpoints controlled by Houthi-Saleh militias—which severely impacted the distribution of food aid and exacerbated food insecurity.

According to an HRW report published in July, coalition airstrikes damaged many factories and structures used for humanitarian and economic purposes during the year. HRW reported that: an airstrike on January 6 damaged a hangar containing food products including rice and sugar at Hudaydah Port; on February 2 and 5, two airstrikes on a cement factory in Amran killed 15 civilians and damaged buildings around the factory; and on August 11 and 12, airstrikes destroyed Aldarejh Bridge, used by the World Food Program to transport approximately 90 percent of its food deliveries for the northern governorates, forcing it to use alternate supply routes. As a result of the conflict, the humanitarian situation in the country deteriorated significantly, with 14.1 million food insecure people and a reported 69 percent of
the country’s population requiring humanitarian assistance by the end of the year, according to the UN.

On August 15, a coalition airstrike destroyed an MSF hospital in Hajjah Governorate, which MSF stated killed 19 persons, including one MSF staff member, and injured 24. Later that month MSF announced that it would evacuate its staff from six hospitals in northern Yemen because it could not receive assurances that its hospitals would not be bombed again.

For additional details, including additional information on the Saudi-led coalition’s operations in Yemen, see the Department of State’s *Country Reports on Human Rights* for Yemen.

**Section 2. Respect for Civil Liberties, Including:**

**a. Freedom of Speech and Press**

Civil law does not protect human rights, including freedoms of speech and of the press; only local interpretation and the practice of sharia protect these rights. There were frequent reports of restrictions on free speech. The Basic Law specifies, “Mass media and all other vehicles of expression shall employ civil and polite language, contribute towards the education of the nation, and strengthen unity. The media are prohibited from committing acts that lead to disorder and division, affect the security of the state or its public relations, or undermine human dignity and rights.” Authorities are responsible for regulating and determining which speech or expression undermines internal security. The government can ban or suspend media outlets if it concludes they violated the press and publications law, and it monitored and blocked hundreds of thousands of internet sites.

The legal definition of terrorism, according to the counterterrorism law, includes “any act…intended to disturb the public order of the state…or insult the reputation of the state or its position.” Local human rights activists and international human rights organizations criticized the law for its vague definition of terrorism and complained the government could use it to prosecute peaceful dissidents for “insulting the state.”

**Freedom of Speech and Expression:** The government monitored public expressions of opinion and took advantage of legal controls to impede the free expression of opinion and restrict individuals from engaging in public criticism of the political sphere. The law forbids apostasy and blasphemy, which legally can
carry the death penalty, although there were no recent instances of death sentences being carried out for these crimes (see section 1.a.). Statements that authorities construed as constituting defamation of the king, the monarchy, the governing system, or the Al Saud family resulted in criminal charges for citizens advocating government reform. The government prohibits public employees from directly or indirectly engaging in dialogue with local or foreign media or participating in any meetings intended to oppose state policies.

The government charged a number of individuals with crimes related to their exercise of free speech during the year. In January local media reported that the Najran Criminal Court sentenced two Ministry of Health employees to prison terms and lashes for criticizing their hospital’s administration on Twitter. On appeal, the employees were sentenced under the anticyber crimes law to prison terms of 11 months and eight months, respectively.

In February local media reported that the Medina Criminal Court sentenced a man to 10 years in prison and 2,000 lashes on charges related to “atheistic” tweets.

In September the SCC sentenced a person to seven years in prison and a travel ban of 10 years on charges of publishing rumors via Twitter, joining an unauthorized association, not pledging allegiance, calling publicly for demonstrations, and challenging the independence of the judiciary, according to local media reports.

On December 27, the media reported that a court in Dammam sentenced a man to one year in prison and a fine of 30,000 Riyals ($8,000) for “incitement to end the guardianship of women” after making statements online and hanging up posters in mosques calling for an end to the male guardianship system.

Some human rights activists were detained and then released on the condition that they refrain from using social media for activism, refrain from communicating with foreign diplomats, refrain from communicating with outside human rights organizations, and refrain from traveling outside the country.

Press and Media Freedoms: The Press and Publications Law governs printed materials; printing presses; bookstores; the import, rental, and sale of films; television and radio; foreign media offices and their correspondents; and online newspapers and journals. The media fell under the jurisdiction of the Ministry of Culture and Information. The ministry may permanently close “whenever necessary” any means of communication—defined as any means of expressing a
viewpoint that is meant for circulation—that it deems is engaged in a prohibited activity, as set forth in the decree.

Media policy statements have urged journalists to uphold Islam, oppose atheism, promote Arab interests, and preserve cultural heritage. In 2011 a royal decree amended the press law to strengthen penalties, create a special commission to judge violations, and require all online newspapers and bloggers to obtain a license from the ministry. The decree bans publishing anything “contradicting sharia, inciting disruption, serving foreign interests that contradict national interests, and damaging the reputation of the grand mufti, members of the Council of Senior Religious Scholars, or senior government officials.”

The law states that violators can face fines up to 500,000 riyals ($133,000) for each violation of the law, which is doubled if the violation is repeated. Other penalties include banning individuals from writing. While the Violations Considerations Committee in the Ministry of Culture and Information has formal responsibility for implementing the law, the Ministry of Interior, the CPVPV, and sharia court judges considered these issues regularly and exercised wide discretion in interpreting the law. It was unclear which process accords with the law.

Although satellite dishes were illegal, the government did not enforce restrictions on them, and their use was widespread. Many foreign satellite stations broadcast a wide range of programs into the country in Arabic and other languages, including foreign news channels. Access to foreign sources of information, including via satellite dishes and the internet, was common. Foreign media were subject to licensing requirements from the Ministry of Culture and Information and could not operate freely. The government filtered and at times blocked access to internet sites it considered objectionable. Privately owned satellite television networks, headquartered outside the country, maintained local offices and operated under a system of self-censorship.

Violence and Harassment: Authorities subjected journalists to arrests, imprisonment, and harassment during the year.

In March the SCC sentenced Eastern Province-based journalist Alaa Brinji to five years in prison and an eight-year travel ban on charges of inciting the public against the country’s rulers, attempting to tarnish the country’s reputation, accusing security forces of killing protesters in Awamiya, and violating the 2007 anticyber crimes law. According to human rights organizations, Brinji was
arrested in 2014 and held in solitary confinement without access to a lawyer during pretrial detention.

Censorship or Content Restrictions: The government reportedly penalized those who published items counter to government guidelines and directly or indirectly censored the media by licensing domestic media and by controlling importation of foreign printed material. Because of self-censorship, authorities did not frequently have reason to prosecute print and broadcast media.

All newspapers in the country must be government-licensed. The Ministry of Culture and Information must approve the appointment of all senior editors and has authority to remove them. The government provided guidelines to newspapers regarding controversial issues. The Saudi Press Agency reported official government news. The government owned most print and broadcast media and book publication facilities in the country, and members of the royal family owned or influenced privately owned and nominally independent operations, including various media outlets and widely circulated pan-Arab newspapers published outside the country. Authorities prevented or delayed the distribution of foreign print media covering issues considered sensitive, effectively censoring these publications.

The government censored published material it considered blasphemous, for example, by removing works by Palestinian novelist and poet Mamoud Darwish at the Riyadh International Book Fair in 2014.

In November multiple media reported that authorities closed the al-Rawi Cultural Cafe on the campus of South Imam University in Riyadh, pending a Ministry of Culture and Information investigation into the cafe’s compliance with book licensing requirements.

In some cases, however, individuals criticized specific government bodies or actions publicly without repercussions. The Consultative Council (Majlis as-Shura), an advisory body, frequently allowed print and broadcast media to observe its proceedings and meetings, but the council closed some high-profile or controversial sessions to the media.

Libel/Slander Laws: There were numerous reports during the year of the government using libel laws to suppress publication of material that criticized policies or public officials.
The anticyber crimes law provides for a maximum penalty of one-year’s imprisonment for “defamation and infliction of damage upon others through the use of various information technology devices.” In 2014 the law was amended to include social media and social networks and increases the maximum fine to 500,000 riyals ($133,000).

In June the Jeddah Criminal Court commuted a seven-year prison sentence and 2,100 lashes for an Indian man convicted of blasphemy after he converted to Islam while in prison; he was initially convicted for posting an image on Facebook of the Holy Kaaba covered with Hindu deities, according to media reports.

In February the SCC sentenced a man to 10 years in prison and a travel ban of unspecified duration for “spreading malicious rumors about the kingdom” and running a YouTube channel in which he called the country’s rulers “tyrants,” according to the local Arab News newspaper.

National Security: In most cases authorities used the anticyber crimes law and the counterterrorism law to restrict freedom of expression, including by prosecuting several individuals under these laws on charges related to statements made on social media.

Internet Freedom

The Ministry of Culture and Information or its agencies must authorize all websites registered and hosted in the country. The General Commission for Audiovisual Media has responsibility for regulating all audio and video content in the country, including satellite channels, film, music, internet, and mobile applications, independent from the Ministry of Commerce and Industry. Internet access was widely available, and more than 70 percent of the population used the internet during the year, while 83 percent had mobile broadband subscriptions, according to the Ministry of Communications and Information Technology.

The press and publications law implicitly covers electronic media, since it extends to any means of expression of a viewpoint meant for circulation, ranging from words to cartoons, photographs, and sounds. In 2011 the government issued implementing regulations for electronic publishing that set rules for internet-based and other electronic media, including chat rooms, personal blogs, and text messages. Laws, including the anticyber crimes law, criminalize defamation on the internet, hacking, unauthorized access to government websites, and stealing information related to national security as well as the creation or dissemination of a
website for a terrorist organization. Security authorities actively monitored internet activity, both to enforce laws, regulations, and societal norms and to monitor recruitment efforts by extremist organizations such as Da’esh. Activists complained of monitoring or attempted monitoring of their communications on web-based communications applications. According to a 2015 Freedom House report, social media users were increasingly careful about what they posted, shared, or “liked” online, particularly after the passage of the 2014 counterterrorism law.

Access to the internet is legally available only through government-authorized internet service providers. The government required internet access providers to monitor customers and also required internet cafes to install hidden cameras and provide identity records of customers. Although authorities blocked websites offering proxies, persistent internet users accessed the unfiltered internet via other means.

On a number of occasions, government officials and senior clerics publicly warned against inaccurate reports on the internet and reminded the public that criticism of the government and its officials should be done through available private channels. The government charged those using the internet to express dissent against officials or religious authorities with terrorism, blasphemy, and apostasy.

The press and publications law criminalizes the publication or downloading of offensive sites, and authorities routinely blocked sites containing material perceived as harmful, illegal, offensive, or anti-Islamic. The governmental Communications and Information Technology Commission (CITC) filtered and blocked access to websites it deemed offensive, including adult content, as well as pages calling for domestic political, social, or economic reforms or supporting human rights, including websites of expatriate Saudi dissidents.

In October the CITC announced it blocked 2.6 million “pornographic” sites in calendar year 2015 as well 3.5 million such sites in the period from 2010 through 2015. The CITC coordinated decisions with the Saudi Arabian Monetary Agency on blocking phishing sites seeking to obtain confidential personal or financial information. Authorities submitted all other requests to block sites to an interagency committee, chaired by the Ministry of Interior, for decision. Under the Telecommunication Act, failure by service providers to block banned sites can result in a fine of five million riyals ($1.33 million).
The CITC claimed that Facebook removed materials that the CITC deemed offensive but that Twitter ignored all CITC requests. In September the CITC announced that it had not blocked any free voice, video, or messaging services after criticisms on social media that these services had been blocked. Users of Snapchat, a private messenger app, reported the CITC blocked the app during the year. Facebook Messenger and Whatsapp were partially accessible, with text-message features available but voice- and video-calling features blocked. In July users of FaceTime and other video-calling apps reported such services were blocked. In 2013 the CITC had announced it blocked the voice-calling app Viber and that it would “take appropriate action” against applications or services, including Skype and WhatsApp, if the proprietary services did not allow the government “lawful access” for monitoring purposes.

The CITC allows the public to submit requests to block or unblock specific sites. In 2010 the CITC stated it received more than 300,000 requests to block websites annually, citing an average of 200 requests daily to both block and unblock sites.

On July 3, the Ministry of Culture and Information blocked the website of the online news website al-Marsad. The ministry did not give a reason for the closure, and the block on the website was removed after five days.

The government reportedly collected information concerning the identity of persons peacefully expressing political, religious, or ideological opinions or beliefs online. On September 25, authorities arrested a man who used the nickname “Abu Sin” after internet video exchanges with a foreign female user circulated on social media. Authorities charged him with violating the anticyber crimes law, which in part prohibits the “production, preparation, transmission, or storage of material impinging on the public order, religious values, public morals, and privacy.” He was released on bail after 10 days, according to media sources.

**Academic Freedom and Cultural Events**

The government censored public artistic expression, prohibited cinemas, and restricted public musical or theatrical performances other than those considered folkloric or special events approved by the government. Academics reportedly practiced self-censorship, and authorities prohibited professors and administrators at public universities from hosting meetings at their universities with foreign academics or diplomats without prior government permission. In October the Commission on Public Entertainment, established on May 7, hosted a public live dance performance in Riyadh and Jeddah and announced a series of entertainment
performances as part of a new government-sponsored program under the auspices of the Vision 2030 economic reform agenda to foster live entertainment in the country.

b. Freedom of Peaceful Assembly and Association

The law does not provide for freedom of assembly and association, which the government severely limited.

Freedom of Assembly

The law requires a government permit for an organized public assembly of any type. The government categorically forbids participation in political protests or unauthorized public assemblies, and security forces reportedly arrested demonstrators and detained them for brief periods. Security forces, nonetheless, allowed a small number of unauthorized demonstrations throughout the country, despite a 2011 Ministry of Interior statement that demonstrations were banned and that it would take “all necessary measures” against those seeking to “disrupt order.” The CSS reinforced the ministry’s position, stating that “demonstrations are prohibited in this country” and explaining that “the correct way in sharia of realizing common interests is by advising.”

There were an increased number of protests in the Qatif area of the Eastern Province in January and February following the execution of Shia cleric Nimr al-Nimr (see section 1.a.). Activists reported a significant presence of security forces. YouTube videos portrayed residents, largely Shia, protesting alleged systematic discrimination and neglect in government investment in physical and social infrastructure, including education, health care, and public facilities. Protests were largely nonviolent and decreased in size and number after February.

In contrast with previous years, there were no significant protests by family members of long-term detainees in Mabahith-run prisons.

The CPVPV and other security officers also restricted mixed gender gatherings of unrelated men and women in public and private spaces (see section 1.f.).

Freedom of Association

The law does not provide for freedom of association, and the government strictly limited this right. The government prohibited the establishment of political parties
or any group it considered as opposing or challenging the regime. All associations must be licensed by the Ministry of Labor and Social Development and comply with its regulations. Some groups that advocated changing elements of the social or political order reported their licensing requests went unanswered for years, despite repeated inquiries. The ministry reportedly used arbitrary means, such as requiring unreasonable types and quantities of information, to delay and effectively deny licenses to associations. In November 2015 the cabinet passed a law authorizing the Ministry of Labor and Social Development to license NGOs. According to the International Center for Not-for-Profit Law, the Ministry of Labor and Social Development had registered 736 associations and 164 foundations as of April. The government previously provided licenses only to philanthropic and charitable societies; organizations that have social or research mandates required royal backing to avoid government interference or prosecution.

The few local NGOs that had operated without a license, including ACPRA, Union for Human Rights, and the Adala Center for Human Rights, ceased operating in 2013 and 2014 after authorities ordered them disbanded. By year’s end the government had sentenced all 11 ACPRA founding members to prison terms. In 2014 ACPRA effectively ceased operations because of the continued harassment, investigation, prosecution, or detention of most of its members. While ACPRA maintained a presence on social media networks such as Twitter, the government severely curtailed its operations and closed down its website. In October, HRW reported that authorities filed charges against two activists, Mohammad al-Otaibi and Abdullah al-Attawi, for “forming an unlicensed organization” and other charges related to establishing a short-lived human rights organization called the Union for Human Rights, which was disbanded in 2013.

Government-chartered associations observed citizen-only limitations.

c. Freedom of Religion

See the Department of State’s International Religious Freedom Report at www.state.gov/religiousfreedomreport/.


The law does not contain provisions for freedom of internal movement, foreign travel, emigration, and repatriation.
The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

**In-country Movement:** The government generally did not restrict the free movement of male citizens within the country, but it severely restricted the movement of female citizens. While the guardianship system does not require a woman to have the permission of her male guardian (normally a father, husband, son, brother, grandfather, uncle, or other male relative) to move freely within the country, courts sometimes ruled that women should abide by a male guardian’s request to stay at home by “occasionally upholding a guardian’s right to obedience from his female dependents,” according to an HRW report.

Authorities respected the right of citizens to change residence or workplace, provided they held a national identification card (NIC). The law requires all male citizens who are 15 or older to possess a NIC. In 2012 the Ministry of Interior announced it would start issuing NICs to all female citizens at the age of 15, phasing in the requirement over a seven-year period. In 2013 the ministry stated it had issued only 1.5 million NICs since 2002 to women. In December 2015 the ministry announced it began issuing NICs to widows and divorcees in possession of a death or divorce certificate. In August local media reported more than three million women over the age of 15 still did not possess a NIC. The 2015 population of women who were 15 or above was approximately 7.5 million, according to the General Authority for Statistics.

The government prohibited women from driving motor vehicles by refusing to issue licenses to them. In June authorities reportedly detained a woman for driving.

**Foreign Travel:** There are severe restrictions on foreign travel, including for women and members of minority groups. No one may leave the country without an exit visa and a passport. Women, minors (men younger than 21), and other dependents or foreign citizen workers under sponsorship require a male guardian’s consent to travel abroad. According to Ministry of Interior regulations, a male guardian must apply for and collect a passport for women and minors. In October media reported that the Ministry of Justice reached an agreement with the General Directorate of Passports to remove the requirement for a deed of support document for widows and their children and to allow them to apply for passports with the directorate directly. A noncitizen wife needs permission from her husband to
travel unless both partners sign a prenuptial agreement permitting the noncitizen wife to travel without the husband’s permission; if a wife’s guardian is deceased, a court may grant the permission. In June media reported that authorities granted 50 women permission to travel without a male guardian; five of the women were married to non-Saudi citizens. Government entities can ban the travel of citizens and noncitizens without trial, and male family members can “blacklist” women and minor children, prohibiting their travel.

Employers or sponsors controlled the departure of foreign workers and residents from the country; employers or sponsors were responsible for processing residence permits and exit visas on their behalf. Sponsors frequently held their employees’ passports against the desires of the employees, despite a law specifically prohibiting this practice. Foreign workers typically provided sponsors with their residence permit before traveling in exchange for their passport to ensure the worker’s return to their employer after their travel.

The government continued to impose international travel bans as part of criminal sentences. The government reportedly confiscated passports on occasion for political reasons and revoked the rights of some citizens to travel, often without providing them notification or opportunity to contest the restriction. Most travel bans reportedly involved individuals in court cases relating to financial and real estate disputes.

During the year the government banned several individuals engaged in human rights activism or political activities from foreign travel, in addition to hundreds of other travel bans promulgated by the courts. These included ACPRA members Eissa al-Hamid, Abdulaziz al-Shobaily, and Omar al-Sa’id as well as journalist Alaa Brinji.

**Protection of Refugees**

**Access to Asylum:** The law provides that the “state will grant political asylum if public interest so dictates.” There are no regulations implementing this provision or UNHCR-managed refugee and asylum matters. The government permitted UNHCR-recognized refugees to stay in the country temporarily pending identification of a durable outcome, including third-country resettlement or voluntary repatriation. The government generally did not grant asylum or accept refugees for resettlement from third countries. Government policy is not to grant refugee status to persons in the country illegally, including those who have overstayed a pilgrimage visa. The government strongly encouraged persons
without residency to leave, and it threatened or imposed deportation. Access to naturalization was difficult for refugees.

The government did, however, grant six-month visas to Syrian and Yemeni nationals, and a royal decree allowed pro forma extensions of these visas. There was a nondeportation policy for Syrians and Yemenis. In May the Royal Court approved residency permits for Yemeni nationals who were in the country illegally prior to the beginning of coalition operations in Yemen. In the past year, the country normalized the status of 592,809 Yemenis, in addition to 1.5 million properly documented Yemenis, many of whom would be characterized as refugees but for the Saudi Arabian government’s practice of avoiding using that term, bringing the total population of Yemenis living in Saudi Arabia to approximately two million. The government waived the costs and fees for visas, work permits, and permanent residency status applications for 2,570,972 Syrians who entered the country since 2011 because of the security situation in Syria. These included Syrians who entered the country without proper documentation who later normalized their status as well as individuals and families on visitor visas who were transiting to other countries.

Employment: Refugees and asylum seekers were generally unable to work legally. In February the Ministry of Labor and Social Development announced it would start allowing employers to apply online for an automatic work permit to be issued free of charge to Syrians and Yemenis who possessed a temporary visa and obtained a visitor card (“за’ир”) from the Ministry of Interior. The renewable permits were valid for up to six months and tied to the validity period of their temporary visas; men between the ages of 18 and 60 were eligible to apply.

Access to Basic Services: The government reserves access to education, health care, public housing, courts and judicial procedures, legal services, and other social services to citizens only. A royal decree issued in 2012 permits all Syrians in Saudi Arabia free access to the educational system, and a separate decree issued in 2015 gives Yemenis in Saudi Arabia free access to schools. In 2015-16 the government enrolled and funded 141,406 Syrian students and 285,644 Yemeni students in local schools and provided college scholarships to 7,950 Syrians and 3,880 Yemenis. The UNHCR office in Riyadh provided a subsistence allowance covering basic services to a limited number of vulnerable families, based on a needs assessment. Authorities worked with UNHCR to provide medical treatment following a needs assessment. Since 2015 the government provided free health care to 47,000 Yemenis and paid for treatment of more than 3,426 injured Yemenis located in Saudi Arabia, Jordan, and Sudan.
Stateless Persons

The country had a significant number of habitual residents who were legally stateless, but data on the stateless population were incomplete and scarce.

Citizenship is legally derived only from the father. Children may be born stateless if they were born to an unmarried citizen mother who is not legally affiliated with the citizen father, even if the father recognized the child as his, or if the government did not authorize the marriage of a citizen father and a noncitizen mother prior to birth of the children. The nationality laws do not allow Saudi women married to foreign nationals to pass their nationality to their children, except in certain circumstances such as where fathers are unknown, stateless, of unknown nationality, or do not establish filiation. Sons of citizen mothers and noncitizen fathers may apply for citizenship once they turn 18 (if they were not already granted citizenship at birth under certain circumstances). Daughters can obtain citizenship only through marriage to a Saudi man. A child may lose legal identification and accompanying rights if authorities withdraw identification documents from a parent (possible when a naturalized parent denaturalizes voluntarily or loses citizenship through other acts). Since there is no codified personal-status law, judges make decisions regarding family matters based on their own interpretations of Islamic law.

In 2013 the government clarified regulations governing the status of non-Saudi men married to Saudi women. Foreign male spouses of female citizens are entitled to permanent residency in the country without needing a sponsor, and they receive free government education and medical benefits. These spouses are also counted in the quota of Saudis employed in private companies under the “nitaqaat,” or labor quota system, which improves their employment prospects. Female citizens must also be between the ages of 30 and 55 in order to marry a non-Saudi man. Non-Saudi wives of Saudi men receive more rights if they have children resulting from their marriage with a Saudi man than if they do not. Male citizens must be between the ages of 40 and 65 in order to marry a non-Saudi woman. The extent to which those strictures were enforced was unclear, and there was anecdotal evidence that these were not uniformly enforced. Children of Saudi women who are married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother. In October the government issued a 17-point charter with additional regulations on marriage to non-Saudi citizens. Under the charter, a male citizen must earn 3,000 riyals ($800) per month and must own or rent an apartment or house before he can marry a non-
citizen woman. The charter also states that, for female citizens, the age difference between them and any prospective non-Saudi spouse cannot exceed 10 years. On December 16, media reported that the government instituted a new policy requiring prospective foreign spouses to undergo a medical examination and drug testing prior to marriage to Saudi citizens.

UNHCR unofficially estimated there were 70,000 stateless persons in the country, almost all of whom were native-born residents known locally as “bidoon” (an Arabic word that means “without” [citizenship]). Bidoon are persons whose ancestors failed to obtain nationality, such as descendants of nomadic tribes not counted among the native tribes during the reign of the country’s founder, King Abdulaziz; descendants of foreign-born fathers who arrived before there were laws regulating citizenship; and rural migrants whose parents failed to register their births. As noncitizens, bidoon are unable to obtain passports. The government sometimes denied them employment and educational opportunities, and their marginalized status made them among the poorest residents of the country. In recent years the Ministry of Education encouraged them to attend school. The government issues bidoon five-year residency permits to facilitate their social integration in government-provided health-care and other services, putting them on similar footing with sponsored foreign workers. In 2014 the General Directorate of Passports began to issue special identity cards to bidoon similar to residency permits issued to foreigners in the country, but with features entitling their holders to additional government services similar to those available to citizens.

There were also some Baloch, West Africans, and Rohingya Muslims from Burma, but only a portion of these communities was stateless. For example, many Rohingya had expired passports that their home government refused to renew. UNHCR estimated there were between 250,000 and 500,000 Rohingya in the country. During the year some of these individuals benefited from a program to correct their residency status; the government issued approximately 200,000 four-year residency permits by year’s end. Only an estimated 2,000 individuals of Rohingya origin had Saudi citizenship. There also were between 300,000 and 400,000 Palestinian residents not registered as refugees.

**Section 3. Freedom to Participate in the Political Process**

The law does not provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage; it establishes an absolute monarchy led by the Al Saud family as the political system. The law provides citizens the right to communicate with public
authorities on any matter and establishes the government on the principle of consultation (“shura”). The king and senior officials, including ministers and regional governors, are required to be available by holding meetings (“majlis”), open-door events where in theory any male citizen or noncitizen may express an opinion or a grievance without the need for an appointment. Most government ministries and agencies had women’s sections to interact with female citizens and noncitizens, and at least two regional governorates hired female employees to receive women’s petitions and arrange meetings for women with complaints for, or requests of, the governor. Only select members of the ruling family have a voice in the choice of leaders, the composition of the government, or changes to the political system. The Allegiance Commission, composed of up to 35 senior princes appointed by the king, is formally responsible for selecting a king and crown prince upon the death or incapacitation of either.

**Elections and Political Participation**

**Recent Elections:** In December 2015 elections were held for two-thirds of the 3,159 seats on 284 municipal councils; the government appointed the remaining third. Women were allowed to vote and run as candidates for the first time. The voting age was also lowered universally to 18 years. The Ministry of Municipal and Rural Affairs actively encouraged women’s participation in the municipal elections. According to the ministry, 131,188 women registered to vote (compared with 1,373,971 men registered in 2015 and previous election cycles), and 979 ran as candidates (compared with 5,938 men). Election regulations prohibited candidates from contesting under party affiliation. Twenty-one women won seats and 17 were appointed to seats, totaling approximately 1 percent of all available seats.

The NSHR observed the elections, and select international journalists were also permitted to observe. Independent polling station observers identified no irregularities with the election. Prior to the election, several candidates reported they were disqualified for “violating the rules and regulations,” without further explanation. They had the right to appeal, and some were reinstated. Uniformed members of the security forces, including the military and police, were ineligible to vote.

**Political Parties and Political Participation:** There were no political parties or similar associations. The law does not protect the right of individuals to organize politically. The counterterrorism law’s implementation regulations issued by the Ministry of Interior in 2014 explicitly banned a number of organizations that had
political wings, including the Muslim Brotherhood, as regional and local terrorist groups. The government continued to regard human rights organizations, such as ACPRA, as illegal political movements and treated them accordingly.

**Participation of Women and Minorities:** Gender discrimination excluded women from many aspects of public life. Women slowly but increasingly participated in political life, albeit with significantly less status than men, in part due to guardianship laws requiring a male guardian’s permission for legal decisions, restrictions on women candidates’ contact with male voters in the 2016 elections, and the ban on women driving. In the December 2015 municipal elections, women made up less than 10 percent of the final list of registered voters, according to HRW. In March, Jeddah municipal council member Lama al-Sulaiman resigned after the ministry issued a decision requiring male and female council members to sit in separate rooms.

In 2013 the former king issued a royal decree changing the governance of the Consultative Council, the 150-person royally appointed body that advises the king and may propose but not pass laws. The changes mandate that women constitute no less than 20 percent of the membership of the Consultative Council. In accordance with the law, in 2013 the council inducted 30 women as full members. On December 2, the king issued a new decree reconstituting the 150-member Consultative Council and keeping the number of women members at 30.

Women were routinely excluded from formal decision-making positions in both government and the private sector, although some women attained leadership positions in business and served in senior advisory positions within government ministries. Women’s ability to practice law was severely limited; there were no women on the High Court or Supreme Judicial Council and no women judges or public prosecutors. In August the Ministry of Justice announced that women could not be appointed as public notaries in the courts. The government, however, continued to issue licenses to female lawyers. In September Ministry of Justice officials announced that, while there were no women employed in their agency, the government had granted 39 law licenses to women during the year, approximately 8 percent of the total number of 512 licenses, bringing the total number of women licensed to practice law in the country to 102. The ministry allowed an additional 450 female law graduates to work in internships.

During the year the most senior position held by a woman in government was vice president for women’s affairs of the General Sports Authority.
The country had an increasing number of female diplomats. Bureaucratic procedures largely restricted women working in the security services to employment in women’s prisons, at women’s universities, and in clerical positions in police stations, where they were responsible for visually identifying other women for law enforcement purposes. According to the National Transformation Program, 39.8 percent of government employees (excluding the military) were women, and women occupied 1.27 percent of top government positions.

No laws prevent males from minority groups from participating in political life on the same basis as other male citizens. Societal discrimination, however, marginalized the Shia population, and tribal factors and longstanding traditions continued to dictate many individual appointments to positions. Unofficially, government authorities will not appoint a Bedouin tribesman to a high-ranking cabinet-level position, and Bedouins can only reach the rank of major general in the armed forces. All cabinet members who were tribal were members of urbanized “Hamael” tribes rather than Bedouin tribes. While the religious affiliation of Consultative Council members was not known publicly, the council included an estimated seven or eight Shia members. In contrast with previous years, the cabinet contained one religious minority member. In 2014 the late King Abdullah appointed Mohammad bin Faisal Abu Saq, a Shia, as minister of state and member of the cabinet for consultative council affairs. Multiple municipal councils in the Eastern Province, where most Shia were concentrated, had large proportions of Shia as members to reflect the local population, including a majority in Qatif and 50 percent in al-Hasa. Eastern Province Shia judges dealing with intra-Shia personal status and family laws operated specialized courts.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption. The government did not implement the law effectively; some officials engaged in corrupt practices with impunity, and perceptions of corruption persisted in some sectors.

Government employees who accept bribes face 10 years in prison or fines up to one million riyals ($267,000). The National Anticorruption Commission (“Nazaha”), established by King Abdullah in 2011, was responsible for promoting transparency and combating all forms of financial and administrative corruption. The commission’s ministerial-level director reported directly to the king. In February 2015 the Shura Council censured Nazaha for its failure to prosecute a sufficient number of corruption cases. The council also stated that the public did not believe Nazaha could handle its responsibility to investigate and punish
corruption. The Control and Investigation Board remains responsible for investigating financial malfeasance, and the BIPP has the lead on all criminal investigations. The HRC also responded to and researched complaints of corruption. Provincial governors and other members of the royal family paid compensation to victims of corruption during weekly majlis meetings where citizens raised complaints.

**Corruption:** Nazaha continued operations and referred cases of possible public corruption to the BIPP. In November, Nazaha announced that it had found irregularities in the appointment of a cabinet minister’s son to the Ministry of Municipal and Rural Affairs. In July, Nazaha declared it was investigating an official of the Ministry of Transportation for granting 14 million riyals ($3,730,000) in compensation to his relatives.

**Financial Disclosure:** Public officials were not subject to financial disclosure laws.

**Public Access to Information:** The law does not provide for, and there is no right to, public access to government information, such as ministerial budgets or allocations to members of the royal family.

**Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

The law provides that “the State shall protect human rights in accordance with Islamic sharia.” The government restricted the activities of domestic and international human rights organizations. The government did not allow international human rights NGOs to be based in the country but allowed representatives to visit on a limited basis. International human rights and humanitarian NGOs reported that the government was at times unresponsive to requests for information and did not establish a clear mechanism for communication with NGOs on both domestic human rights issues and on issues relating to the conflict in Yemen. There were no transparent standards governing visits by international NGO representatives. The HRC stated that the government welcomed visits by legitimate, unbiased human rights groups but added the government could not act on the “hundreds of requests” it received, in part because it was cumbersome to decide which domestic agencies would be their interlocutor.

The government often cooperated with and sometimes accepted the recommendations of the NSHR, the sole government-licensed domestic human
rights organization. The NSHR accepted requests for assistance and complaints about government actions affecting human rights.

The government viewed unlicensed local human rights groups with suspicion, frequently blocking their websites and charging their founders with founding and operating an unlicensed organization. ACPRA applied for a license in 2008, which authorities did not grant. The government initially allowed its unlicensed operation, but it remained unclear which activities the group could undertake without risking punishment. For example, the group was unable to raise operating funds legally, which limited its activities. In 2013 a court ordered the dissolution of ACPRA and confiscation of its assets (see section 2.b., Freedom of Association).

**Government Human Rights Bodies**: The HRC is part of the government and requires the permission of the Ministry of Foreign Affairs before meeting with diplomats, academics, or researchers with international human rights organizations. The HRC president has ministerial status and reports to the king. The well-resourced HRC was effective in highlighting problems and registering and responding to the complaints it received, but its capacity to effect change was more limited. The HRC worked directly with the Royal Diwan and the cabinet, with a committee composed of representatives of the Consultative Council and the Ministries of Labor and Social Development and Interior, and with Consultative Council committees for the judiciary, Islamic affairs, and human rights.

During the year the HRC and NSHR were more outspoken in areas deemed less politically sensitive, including child abuse, child marriage, prison conditions, and cases of individuals detained beyond their prescribed prison sentences. They avoided topics, such as protests or cases of political activists or reformists, that would require directly confronting government authorities. The HRC board’s 18 full-time members included four women and at least three Shia; they received and responded to complaints submitted by their constituencies, including problems related to persons with disabilities, religious freedom, and women’s rights. The Consultative Council’s Human Rights Committee also actively followed cases and included women and Shia among its members; a woman served as chairperson of the committee.

**Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

**Women**
Rape and Domestic Violence: Rape is a criminal offense under sharia with a wide range of penalties from flogging to execution. The law does not recognize spousal rape as a crime. The government enforced the law based on its interpretation of sharia, and courts often punished victims as well as perpetrators for illegal “mixing of genders,” even when there was no conviction for rape. Victims also had to prove that the rape was committed, and women’s testimony in court is, in certain cases, worth half the weight of that of a man. Due to these legal and social penalties, authorities brought few cases to trial. The government did not maintain public records on prosecutions, convictions, or punishments.

Statistics on incidents of rape were not available, but press reports and observers indicated rape was a serious problem. Moreover, most rape cases were likely unreported because victims faced societal and familial reprisal, including diminished marriage opportunities, criminal sanction up to imprisonment, or accusations of adultery or sexual relations outside of marriage, which are punishable under sharia.

The 2013 law against domestic violence provides a framework for the government to prevent and protect victims of violence in the home. The law defines domestic abuse broadly and criminalizes domestic abuse with penalties of one month to one year of imprisonment or a fine of 5,000 to 50,000 riyals ($1,330 to $13,300) unless a court provides a harsher sentence.

Researchers stated that domestic violence might be seriously underreported, making it difficult to gauge the magnitude of the problem, which they believed to be widespread. The Ministry of Justice received 1,498 cases of domestic violence over the previous Hijri calendar year, according to media reports. In December 2015 the Ministry of Labor and Social Development handled 8,016 cases of physical and psychological abuse, 57.5 percent of which involved spousal abuse, according to media reports. The NSHR’s 2015 annual report noted that the organization investigated 295 cases of domestic violence and violations of women’s rights. The National Family Safety Program, a private charity organization founded in 2005 to spread awareness and combat domestic violence, including child abuse, continued to report abuse cases.

Officials stated that the government did not clearly define domestic violence and procedures concerning cases, including thresholds for investigation or prosecution, and thus enforcement varied from one government body to another. Some women’s rights advocates were critical of investigations of domestic violence, claiming investigators were hesitant to enter a home without permission from the
head of household, who may also be the male perpetrator. Some activists also claimed that authorities often did not investigate or prosecute cases involving domestic violence, instead encouraging victims and perpetrators to reconcile in order to keep families intact regardless of reported abuse. Violence included a broad spectrum of abuse. There were reports of police or judges returning women directly to their abusers, most of whom were the women’s legal guardians.

The government made efforts to combat domestic violence, and during the year the King Abdulaziz Center for National Dialogue held workshops and distributed educational materials on peaceful conflict resolution between spouses and in families. The government supported family-protection shelters. The HRC received complaints of domestic abuse and referred them to other government offices. The HRC advised complainants and offered legal assistance to some female litigants. The organization provided services for children of female complainants and litigants and distributed publications supporting women’s rights in education, health care, development, and the workplace. On March 29, the Ministry of Labor and Social Development announced the launch of a domestic violence call center, noting that the center had received 1,890 calls in its first three days of operations.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was not a common practice in the country, particularly among the Saudi population, as the official government interpretation of sharia prohibits the practice.

Other Harmful Traditional Practices: There were no known deaths involving dowry, honor killings, or other harmful practices targeting women during the year.

Sexual Harassment: The extent of sexual harassment was difficult to measure, with little media reporting and no government data. The government’s interpretation of sharia guides courts on cases of sexual harassment. Nonetheless, female workers reported sexual harassment and discrimination. Employers in many sectors maintained separate male and female workspaces where feasible, in accordance with law.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so, free from discrimination, coercion, and violence. Although no legal barriers prevent access to contraception, constraints on mobility and economic resources as well as social pressure for large families limited many women. According to 2016 estimates by the UN Population
Fund, 31 percent of women between the ages of 15 and 49 used a modern method of contraceptives and 24 percent of women had an unmet need for family planning.

**Discrimination:** Women continued to face significant discrimination under law and custom, and many remained uninformed about their rights. To increase awareness, on July 4, a female lawyer launched an Arabic mobile phone application, “Know Your Rights.” The application contained resources for legal aid as well as answers to frequently asked questions on issues such as divorce, child custody, guardianship, disability, and domestic violence.

The law does not provide for the same legal status and rights for women as for men, and since there is no codified personal-status law, judges made decisions regarding family matters based on their interpretations of Islamic law. Although they may legally own property and are entitled to financial support from their guardian, women have fewer political or social rights than men, and society treated them as unequal members in the political and social spheres. The guardianship system requires that every woman have a close male relative as her “guardian” with the legal authority to approve her travel outside of the country. A guardian also has authority to approve some types of business licenses and study at a university or college. Women can make their own determinations concerning hospital care. Women can work without their guardian’s permission, but most employers required women to have such permission. A husband who verbally (rather than through a court process) divorces his wife or refuses to sign final divorce papers continues to be her legal guardian.

The overall percentage of female workforce participation was 21 percent, according to the World Economic Forum’s *Gender Gap Report 2015*. The law does not require equal pay for equal work.

Nationality law discriminates against women, who cannot directly transmit citizenship to their children, particularly if the children’s father is a noncitizen (see section 2.d. and section 6, Children). The country’s interpretation of sharia prohibits women from marrying non-Muslims, but men may marry Christians and Jews. Women require government permission to marry noncitizens; men must be older than 25 to marry a foreigner and must obtain government permission if they intend to marry citizens from countries other than Gulf Cooperation Council member states (Saudi Arabia, Bahrain, Kuwait, Oman, Qatar, and the United Arab Emirates). Regulations prohibit men from marrying women from Pakistan, Bangladesh, Chad, and Burma. The government additionally required Saudi men
wishing to marry a second wife who is a foreigner to submit documentation attesting to the fact that his first wife is disabled, has a chronic disease, or is sterile.

Widespread societal exclusion enforced by, but not limited to, state institutions restricted women from using many public facilities. The law requires women usually to sit in separate, specially designated family sections. They frequently cannot consume food in restaurants that do not have such sections. Women risk arrest for riding in a private vehicle driven by a male who is not an employee (such as a hired chauffeur or taxi driver) or a close male relative. Cultural norms enforced by state institutions require women to wear an “abaya” (a loose-fitting, full-length black cloak) in public. The CPVPV also generally expected Muslim women to cover their hair and non-Muslim women from Asian and African countries to comply more fully with local customs of dress than non-Muslim Western women.

On December 12, media reported that Malak al-Shehri was detained after posting a photograph of herself on Twitter on November 28, dressed in a jacket (rather an abaya) with her hair uncovered (without a “hijab”) on a busy street in Riyadh. Riyadh police claimed that the CPVPV had reported al-Shehri’s actions to them and that her detention was in line with the duty of the police to monitor against violations of general morals and illegal actions. Al-Shehri was released on December 19.

Women also faced discrimination in courts, where in most cases the testimony of one man equals that of two women. All judges are male, and women faced restrictions on their practice of law. In divorce proceedings, women must demonstrate legally specified grounds for divorce, but men can divorce without giving cause. In doing so, men must pay immediately an amount of money agreed at the time of the marriage that serves as a one-time alimony payment. Men can be forced, however, to make subsequent alimony payments by court order. The government began implementing an identification system based on fingerprints that was designed to provide women more reliable access to courts. The previous system required women to present themselves at court in the presence of a male relative to prove their identity if they declined to unveil their faces.

Women faced discrimination under family law. For example, a woman needs a guardian’s permission to marry or must seek a court order in the case of “adhl” (male guardians refusing to approve the marriage of women under their charge). In such adhl cases, the judge assumes the role of the guardian and can approve the
marriage. In February the Ministry of Justice reported that courts received 128 adhl cases during the previous three months.

Courts award custody of children when they attain a specified age (seven years for boys and nine years for girls) to the divorced husband or the deceased husband’s family. In numerous cases former husbands prevented divorced noncitizen women from visiting their children. Inheritance laws also discriminate against women, since daughters receive half the inheritance awarded to their brothers.

According to recent surveys, women constituted more than half of university students, although segregated education through university level was the norm. The only exceptions to segregation in higher education were medical schools at the undergraduate level and the King Abdullah University of Science and Technology, a graduate-level research university, where women worked jointly with men, were not required to wear a veil, and drove cars on campus. Other universities, such as al-Faisal University in Riyadh, offered partially segregated classes with students receiving instruction from the same teacher and able to participate together in class discussion, but with the women and men physically separated by dividers.

Children

Birth Registration: Citizenship derives from the father, and only the father can register a birth. There were cases of authorities denying children of citizen parents public services, including education and health care, because the government failed to register the birth entirely or had not registered it immediately, sometimes because the father failed to report the birth (see section 2.d., Stateless Persons). Children of Saudi women who are married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother.

Child Abuse: Abuse of children occurred. In 2015 the NSHR registered 154 cases of violence against children, according to its annual report. In March local media reported a National Family Safety Program study that found 60 percent of domestic abuse complaints received involved children who suffered some form of physical abuse, with 5 to 10 percent of children exposed to physical violence and 80 percent of teenagers exposed to various forms of physical and psychological abuse.

In June the Riyadh Criminal Court sentenced a man to eight years in prison and 700 lashes for beating his seven-year-old daughter to death.
Early and Forced Marriage: There was one report during the year of child marriage; in prior years the practice was almost entirely limited to rural areas. The law does not specify a minimum age for marriage, although Ministry of Justice guidelines referred marriage applications to sharia courts to determine the validity of a marriage when the bride was under the age of 16. In March a court ordered the annulment of a marriage between a girl who was under the age of 15 and an 84-year-old man. According to some senior religious leaders, girls as young as 10 may marry. Families sometimes arranged such marriages to settle family debts without the consent of the child. The HRC and NSHR monitored cases of child marriages, which they reported were rare or at least rarely reported, and took steps to prevent them from being consummated. Media reports quoted judges as saying the majority of child marriage cases in the country involved Syrian girls, followed by smaller numbers of Egyptians and Yemenis. There were media reports that some men traveled abroad to find brides, some of whom were legally minors. The application for a marriage license must record the bride’s age, and registration of the marriage is a legal prerequisite for consummation. The government reportedly instructed marriage registrars not to register marriages involving children.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was not a common practice for children in the country (see Women above).

Sexual Exploitation of Children: The anticyber crimes law stipulates that punishment for such crimes, including the preparation, publication, and promotion of material for pornographic sites, may be no less than two and one-half years’ imprisonment or a fine of 1.5 million riyals ($400,000) if the crime includes the exploitation of minors. The law does not define a minimum age for consensual sex.


Anti-Semitism

There were no known Jewish citizens and no statistics available concerning the religious denominations of foreigners.
Cases of government-employed imams using anti-Jewish language in their sermons were rare and occurred without authorization by government authorities. The law requires government-employed imams to give all sermons delivered in mosques in the country. They must deliver sermons vetted and cleared by the Ministry of Islamic Affairs. During the year the ministry issued periodic circulars to clerics and imams in mosques directing them to include messages on the principles of justice, equality, and tolerance and to encourage rejection of bigotry and all forms of racial discrimination in their sermons. According to the ministry, no imams publicly espoused intolerant views warranting dismissal during the year. Unauthorized imams continued to employ intolerant views in their sermons.

There were reports of anti-Semitic materials available at government-sponsored book fairs.

The government’s multi-year Tatweer project to revise textbooks, curricula, and teaching methods to promote tolerance and remove content disparaging religions other than Islam began in 2007. As of 2013, the program had received more than 11 billion riyals ($2.9 billion) to revise the curriculum, and the government had developed new curricula and textbooks for at least grades four through 10. Despite these efforts, some intolerant material remained in textbooks used in schools.

Editorial cartoons exhibited anti-Semitism characterized by stereotypical images of Jews along with Jewish symbols, particularly at times of heightened political tension with Israel. Anti-Semitic comments by journalists, academics, and clerics appeared in the media.

**Trafficking in Persons**

See the Department of State’s *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

**Persons with Disabilities**

The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, the judicial system, or the provision of other state services or other areas. The law does not require public accessibility to buildings, information, and communications. Newer commercial buildings often included such access, as did some newer government buildings. Children with disabilities could attend government-supported schools.
Information about patterns of abuse of persons with disabilities in prisons and educational and mental health institutions was not widely available. Persons with disabilities could generally participate in civic affairs, and there were no legal restrictions that prevented persons with disabilities from voting in municipal council elections, although lack of accessibility of buildings, information, and communications likely limited some persons with disabilities from participating fully. In 2013 the HRC appointed four experts to work as advocates for persons with disabilities in the kingdom and to respond to complaints of discrimination; their work expanded during the year to include participation in international conferences on discrimination against persons with disabilities. The King Salman Center for Disability Research, a nonprofit research foundation, continued to conduct laboratory and field research on a range of disability and quality of life issues. The Ministry of Labor and Social Development was responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities into the mainstream. Persons with disabilities were elected and appointed as members of municipal councils in December 2015, and two individuals with disabilities also served on the consultative Shura Council, which was reconstituted on December 2.

**National/Racial/Ethnic Minorities**

Although racial discrimination is illegal, societal discrimination against members of national, racial, and ethnic minorities was a problem. There was also discrimination based on tribal or nontribal lineage. Descendants of former slaves in the country, who have African lineage, faced discrimination in both employment and society. There was formal and informal discrimination, especially racial discrimination, against foreign workers from Africa and Asia. The tolerance campaign of the King Abdulaziz Center for National Dialogue sought to address some of these problems, and it provided training during the year to combat discrimination against national, racial, or ethnic groups.

The Shia minority continued to suffer social, legal, economic, and political discrimination. To address the problem, in recent years the Ministries of Defense and Interior and the National Guard included antidiscrimination training in courses run by the King Abdulaziz Center for National Dialogue for police and other law enforcement officers (for additional information, see Other Societal Violence and Discrimination).
Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

Under sharia as interpreted in the country, consensual same-sex sexual conduct is punishable by death or flogging, depending on the perceived seriousness of the case. It is illegal for men “to behave like women” or to wear women’s clothes and vice versa. Due to social conventions and potential persecution, lesbian, gay, bisexual, transgender, and intersex (LGBTI) organizations did not operate openly, nor were there gay rights advocacy events of any kind. There were reports of official societal discrimination, physical violence, and harassment based on sexual orientation or gender identity in employment, housing, access to education, and health care. Stigma or intimidation acted to limit reports of incidents of abuse. Sexual orientation and gender identity could constitute the basis for harassment, blackmail, or other actions.

There were no government efforts to address potential discrimination. In March newspapers quoted BIPP officials as stating the bureau would seek death sentences for anyone using social media to solicit homosexual acts. There were no reports, however, that BIPP sought death sentences in LGBTI cases during the year.

Local media reported in April that the Jeddah Criminal Court had processed 60 cases of LGBTI individuals over the past year. In April a newspaper reported that the Jeddah Criminal Court sentenced a citizen to six months in prison and 180 lashes after he was convicted of “promoting homosexuality on social media networks.” In January a newspaper reported that the CPVPV arrested two men in Riyadh who were reportedly married and living together.

HIV and AIDS Social Stigma

There were no reports of societal violence or discrimination against persons with HIV/AIDS. By law the government deported foreign workers who tested positive for HIV/AIDS upon arrival or who tested positive when hospitalized for other reasons. There was no indication that HIV-positive foreigners failed to receive antiretroviral treatment or that authorities isolated them during the year. The Ministry of Health’s HIV/AIDS program worked to fight stigma and discrimination against persons with HIV/AIDS.

Other Societal Violence or Discrimination
Societal violence and discrimination against the country’s Shia minority continued. Multiple attacks on Shia mosques or community halls occurred (see section 1.a.). As a result of the attacks, there was increased cooperation between government security forces and local Shia volunteer security committees. Government officials and the public widely condemned all attacks.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law does not provide for the right of workers to form and join independent unions. The law does not provide for the right to collective bargaining or the right to conduct legal strikes. The law does not prohibit antiunion discrimination or require reinstatement of workers fired for union activity.

The government did not respect freedom of association and the right to collective bargaining. There were no labor unions in the country, and workers faced potential dismissal, imprisonment, or, in the case of migrant workers, deportation for union activities. The High Commission for the Settlement of Labor Disputes, a specialized committee under the Ministry of Labor and Social Development, is a labor court that hears employment-related disputes in the private sector.

The government allowed citizen-only labor committees in workplaces with more than 100 employees but it placed undue limitations on freedom of association and was heavily involved in the formation and activities of these committees. For example, the Ministry of Labor and Social Development approves the committee members and authorizes ministry and employer representatives to attend committee meetings. Committee members must submit the minutes of meetings to management and then transmit them to the minister; the ministry can dissolve committees if they violate regulations or are deemed to threaten public security. Regulations limit committees to making recommendations to company management regarding only improvements to working conditions, health and safety, productivity, and training programs. In its 2015 annual report, the NSHR registered 214 labor-related complaints.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, but the government did not effectively enforce legal protections for migrant workers. Forced labor occurred, especially among migrant workers--notably domestic servants--and children.
Conditions indicative of forced labor experienced by foreign workers included withholding of passports, nonpayment of wages, restrictions on movement, and verbal, physical, and sexual abuse. Amendments to the labor law, including prohibitions on the confiscation of passports and nonpayment of wages, went into effect in October 2015. Violations of labor laws resulted in fines of up to one million riylas ($267,000), prison terms up to 15 years, and restrictions on the entity’s ability to recruit foreign workers. Many noncitizen workers, particularly domestic employees who were not covered under the labor law, were not able to exercise their right to end their contractual work. An employer may require a trainee to work for him or her upon completion of training for a period not to exceed twice the duration of the training or one year, whichever is longer.

Restrictive sponsorship laws increased workers’ vulnerability to forced labor conditions and made many foreign workers reluctant to report abuse. The contract system does not allow workers to change employers or leave the country without the written consent of the employer. During the year numerous migrant workers reported being laid off, sometimes after months of nonpayment of salaries. Some remained stranded in the country because they were unable to pay required exit visa fees. A few countries that contributed migrant labor to the country in the past prohibited their citizens from seeking work there after widespread reports of worker abuse.

The government continued implementation of the Wage Protection System (WPS), which required employers to pay foreign workers through bank transfers, thereby allowing the Ministry of Labor and Social Development to ensure workers were paid appropriately. Through October the ministry shut down 1,441 companies for failing to comply with the WPS. The ministry reported 9,500 cases in which foreign migrants were working for employers without legal sponsorship.

Throughout the year the government strictly implemented measures to limit the number of noncitizen workers in the kingdom. The government also penalized Hajj tourist agencies that engaged in human trafficking and local companies that abused the country’s visa laws to bring individuals into the country for reasons other than to employ them directly. During the period between April 2015, and March 31, government enforcement improved, with a reported 257 percent increase in the number of traffickers convicted and a 1,054 percent increase in the number of victims identified. Many individuals either left their legal sponsors’ employment or stayed on after expiration of their work visas and residence permits. A smaller number came as religious pilgrims and overstayed their visas.
Because of their undocumented status, many persons in the country were susceptible to forced labor, substandard wages, and deportation by authorities.

Also see the Department of State’s Trafficking in Persons Report at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law provides that no person younger than 15 may legally work unless that person is the sole source of support for the family. Children between the ages of 13 and 15 may work if the job is not harmful to health or growth and does not interfere with schooling. The law provides that hazardous operations or harmful industries may not employ legal minors; children under the age of 18 may not be employed for shifts exceeding six hours a day. There is no minimum age for workers employed in family-owned businesses or other areas considered extensions of the household, such as farming, herding, and domestic service.

The HRC and NSHR are responsible for monitoring enforcement of child labor laws. There was little information on government efforts to enforce relevant laws or actions to prevent or eliminate child labor during the year. Authorities most commonly enforced the law in response to complaints of children begging on the streets.

Most child labor involved children from other countries, including Yemen and Ethiopia, forced into begging rings, street vending, and work in family businesses.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations do not prohibit discrimination on the basis of race, color, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation or gender identity, age, language, or HIV-positive status. Discrimination with respect to employment and occupation occurred with respect to all these categories.

The Ministry of Labor and Social Development explicitly approved and encouraged the employment of women in specific sectors, particularly in government, but women faced many discriminatory regulations. The third-quarter 2016 Labor Force Survey report by the General Authority for Statistics found that Saudi women (15 years of age and above) constituted 6 percent of the country’s total employed and unemployed workforce (Saudi and non-Saudi, 15 years of age
and above). The same report estimated that women, both Saudi and foreign, represented 12 percent of all employed persons (15 years of age and above) in the country. Rules limited the type of work women were allowed to perform, required them to wear a veil in most workplaces, and enforced gender segregation in the workplace on penalty of fines. The labor dispute settlement bodies did not register any cases of discrimination.

Amendments to the labor law that went into effect in October 2015 included relaxing some discriminatory provisions, such as requiring strict gender-segregation. They also allowed women to work in hazardous or dangerous jobs. There is no regulation requiring equal pay for equal work. In the private sector, the average monthly wage of Saudi women workers was 58 percent of the average monthly wage of Saudi men (see section 6, Women).

Regulations ban women from 24 professions, mostly in heavy industry, but create guidelines for women to telework. Nevertheless, some factories and manufacturing facilities, particularly in the Eastern Province, employed men and women, who worked separate shifts during different hours of the day. Despite gender segregation, the law grants women the right to obtain business licenses with the approval of their guardians, and women frequently obtained licenses in fields that might require them to supervise foreign workers, interact with male clients, or deal with government officials. In medical settings and the energy industry, women and men worked together, and in some instances women supervised male employees. Women who work in establishments with 50 or more female employees have the right to maternity leave and childcare.

Discrimination with respect to religious beliefs occurred in the workplace. Members of the Shia community complained of discrimination based on their religion and had difficulty securing or being promoted in government positions. Shia were significantly underrepresented in national security-related positions, including the Ministries of Defense and Interior and the National Guard. In predominantly Shia areas, Shia representation was higher in the ranks of traffic police, municipalities, and public schools. A very small number of Shia occupied high-level positions in government-owned companies and government agencies (see section 3, Participation of Women and Minorities). Shia were also underrepresented in employment in primary, secondary, and higher education.

Discrimination against Asian and African migrant workers occurred (see section 6, National/Racial/Ethnic Minorities). The King Abdulaziz Center for National Dialogue continued programs that sought to address some of these problems and
provided training during the year to combat discrimination against national, racial, or ethnic groups. There were numerous cases of assault on foreign workers and reports of worker abuse. Government policies designed to increase the number of citizens in the workforce intentionally raised the costs of hiring migrant workers, which made it more difficult for them to find work.

Informal discrimination in employment and occupation occurred on the basis of sex, gender, race, religion, and sexual orientation or gender identity.

e. Acceptable Conditions of Work

The monthly minimum wage for public-sector employees was 3,000 riyals ($800). There was no private-sector minimum wage for foreign workers; the government’s “Nitaqat” (Saudization) program effectively set a general minimum private-sector wage for citizens at 3,000 riyals ($800) per month.

The Commission for the Settlement of Labor Disputes actively prosecuted cases against employers of citizens, with most outcomes favoring the employee. Prosecution of employers of noncitizens occurred with less frequency, and most verdicts reportedly favored the employer. The Ministry of Labor and Social Development also has the ability to arbitrate reconciliation between an employer and employee in a dispute. Labor regulations ostensibly apply to all workers in the public and private sectors, other than domestic servants (covered by a separate law). The regulations provide for a 48-hour standard workweek at regular pay, a weekly 24-hour rest period (normally on Fridays, although the employer may grant it on another day), and time-and-a-half pay for overtime, with a maximum of 12 additional hours per week for private-sector employees. The regulations do not distinguish between different types of employment. To protect laborers working out of doors, the government also imposed a midday work ban during the hottest parts of the day during the summer. The Ministry of Labor and Social Development registered 966 violations across 829 establishments during the year where companies violated the government’s midday work ban during the summer months. The public-sector workweek is 35 hours with two rest days per week.

In 2013 the cabinet approved regulations to govern the work relationship between employers and domestic workers, including the creation of a dispute mechanism to settle financial claims. Under these regulations, the employer and the employee must have a written agreement outlining the worker’s duties and rights that would then be the basis for legal action should either party fail to uphold the contract. If an employer commits a violation, the punishment could include a one-year
recruitment ban, a 2,000 riyal ($530) fine, or both, with increasing penalties for repeat offenses. Domestic workers violating their contract could be assessed a similar fine and prohibited from working in the country.

The 2015 labor law protects workers’ rights in the private sector and seeks to improve the work environment with new safety and welfare standards. The new provisions also provide assistance for workers seeking new employment after their contract terminates and provides for women to receive maternity leave.

An estimated 7.41 million noncitizens, including approximately 666,000 noncitizen women, made up approximately 57 percent of the labor force, according to the General Authority for Statistics third-quarter 2016 Labor Force Survey. Legal workers generally negotiated and agreed to work conditions prior to their arrival in the country, in accordance with the contract requirements contained in the labor law.

The law provides penalties of between 500 and 1,000 riyals ($133 and $267) for bringing foreigners into the country to work in any service, including domestic service, without following the required procedures and obtaining a permit. Local press reports indicated the ministry conducted 124,892 site visits and inspectors found more than 34,000 violations of labor law in the period between November 2014 and September 2015. The most commonly cited violation was failure to adhere to the seasonal prohibition against working in direct sun.

The labor law provides for regular safety inspections and enables Ministry of Labor-appointed inspectors to examine materials used or handled in industrial and other operations and to submit samples of suspected hazardous materials or substances to government laboratories. The Ministry of Health’s Occupational Health Service Directorate worked with the Ministry of Labor on health and safety matters. Regulations require employers to protect some workers from job-related hazards and disease, although some violations occurred. These regulations did not cover farmers, herdsmen, domestic servants, or workers in family-operated businesses. Foreign nationals privately reported frequent failures to enforce health and safety standards. The Ministry of Labor employed nearly 1,000 labor inspectors.

The law requires that a citizen or business sponsor most foreign workers in order for them to obtain legal work and residency status, although the requirement exempts Syrian and Yemeni nationals who overstayed their visas. The Ministry of Labor and Social Development implemented measures allowing noncitizen
workers to switch their employer to a new employer or company that employed a sufficient quota of Saudi nationals. Despite these revised measure, some workers were unaware of the new regulations and had to remain with their sponsor until completion of their contract or seek the assistance of their embassy to return home. There were also instances in which sponsors bringing noncitizen workers into the country failed to provide them with a residency permit, which undermined the workers’ ability to access government services or navigate the court system in the event of grievances. Sponsors with commercial or labor disputes with foreign employees also could ask authorities to prohibit the employees from departing the country until the dispute was resolved. In 2014, however, the government announced that workers who fled their employers would not be jailed or forced to return to their employers to obtain an exit visa, provided they cooperated with their respective embassies within a 72-hour period and had no criminal charges or outstanding fines against them.

The Migrant Workers’ Welfare Department of the Ministry of Labor and Social Development is responsible for addressing cases of abuse and exploitation of migrant workers. Noncitizen workers were able to submit complaints and seek help in 37 offices throughout the country. The Ministry of Labor and Social Development reportedly maintained a database of abusive employers and banned individuals and companies who mistreated noncitizen workers from sponsoring such workers for up to five years. There was no data on enforcement of these policies.

Bilateral labor agreements set conditions on foreign workers’ minimum wage, housing, benefits including leave and medical care, and other topics. These provisions were not necessarily drafted in line with international standards, and they varied depending on the sending country’s relative bargaining leverage. The labor law and the law against trafficking provide penalties for abuse of such workers.

The government engaged in news campaigns highlighting the plight of abused workers, trained law enforcement and other officials to combat trafficking in persons, and worked with the embassies of labor-sending countries to disseminate information about labor rights to foreign workers. As in previous years, during Ramadan the HRC broadcast a public awareness program on television emphasizing the Islamic injunction to treat employees well.

The government did not always enforce the laws protecting migrant workers effectively. Many migrant workers were employed on terms to which they had not
agreed and experienced problems, such as delays in the payment of wages, changes in employer, or changed working hours and conditions. Migrant workers, especially domestic workers, were vulnerable to abuse, exploitation, and conditions contravening labor laws, including nonpayment of wages, working for periods in excess of the 48-hour workweek, working for periods longer than the prescribed eight-hour workday, and restrictions on movement due to passport confiscation. There were also reports of physical and verbal abuse.

Many noncitizen workers, particularly domestic employees, were not able to exercise their right to remove themselves from dangerous situations. Some employers physically prevented workers from leaving or threatened them with nonpayment of wages if they left. Sponsoring employers, who controlled foreign workers’ ability to remain employed and in the country, usually held foreign workers’ passports, a practice prohibited by law. In some contract disputes, a sponsor held the employee in the country until resolution of the dispute to force the employee to accept a disadvantageous settlement or risk deportation without any settlement.

Foreign workers could contact the labor offices of their embassies for assistance. During the year hundreds of domestic workers, the majority of whom were female, sought shelter at their embassies, some fleeing sexual abuse or other violence by their employers. Some embassies maintained safe houses for citizens fleeing situations that amounted to bondage. The workers usually sought legal help from embassies and government agencies to obtain end-of-service benefits and exit visas.

In addition to their embassies, domestic servants could contact the NSHR, the HRC, the governmental Interministerial General Secretariat to Combat Human Trafficking, and the Migrant Workers’ Welfare Department of the Ministry of Labor, which provided services to safeguard migrant workers’ rights and protect them from abuse. Workers could also apply to the offices of regional governors and lodge an appeal with the Board of Grievances against decisions by those authorities.
Tab 9

Apr 26, 2016 | Press Release

Letter Sent Amid Reports of Crackdown Over Social Media Use

Washington – In response to reports of increased persecution of members of the LGBTQ community in Saudi Arabia, Representative Sean Patrick Maloney led a bipartisan letter to Saudi Arabia’s ambassador to the United States highlighting American concerns for human rights abuses and clarifying that those abuses will negatively impact American-Saudi relations. Okaz, a liberal Saudi newspaper, first reported that prosecutors in the city of Jeddah were seeking the death penalty for those accused of engaging in homosexual behavior. While LGBTQ rights in Saudi Arabia have been an ongoing concern, the recent reports from LGBTQ activists in the kingdom alleging that a task force has been established to conduct sting operations over social media targeting members of the LGBTQ community – coupled with recent calls for capital punishment for LGBTQ Saudis – underscored the need for action.

“No one – regardless of where they live– should be subject to torture or capital punishment because of who they are or who they love,” said Rep. Maloney, a Co-Chair of the Congressional LGBT Equality Caucus. “The reports are horrifying, unacceptable and demand an immediate response from the United States.”

“LGBT people in the Middle East continue to face enormous challenges, from social stigma to persecution and violence,” said David Stacy, Director of Government Affairs at the Human Rights Campaign. “With the rise of ISIL and other jihadist groups in the region, the pressure has gotten worse, and it is crucial that we stand up for the human rights of Saudi LGBT people, as Rep. Maloney and his colleagues have, to make it clear that crimes against them will not go unnoticed.”

“We are grateful for Rep. Maloney’s leadership in highlighting the horrific climate of fear and hatred experienced by Saudi LGBT people, including recent calls for execution of Saudi citizens who publicly identify as LGBT,” said Human Rights First’s Shawn Gaylord. “We hope Saudi Ambassador Prince Abdullah Al Saud will carefully consider how the continued persecution of Saudi’s LGBTQ community will negatively impact the bilateral relationship.”
“Fundamental rights, including free expression and peaceful dissent, are routinely and severely suppressed in Saudi Arabia,” said Daniel Calingaert, Executive Vice President of Freedom House. “The human rights of LGBT people should be respected everywhere. They should not be singled out for discrimination, let alone face criminal charges and prosecution.”

33 Members of Congress signed onto the letter with Rep. Maloney including Eleanor Holmes Norton (D-DC), Raul Grijalva (D-AZ), Mark Takano (D-CA), David Cicilline (D-RI), John Conyers (D-MI), Eric Swalwell (D-CA), James P. McGovern (D-MA), Alan Lowenthal (D-CA), Dina Titus (D-NV), Brad Ashford (D-NE), Kathy Castor (D-FL), Jackie Speier (D-CA), Jerrold Nadler (D-NY), Derek Kilmer (D-WA), Mark Pocan (D-WI), Ted W. Lieu (D-CA), Mike Quigley (D-IL), Barbara Lee (D-CA), Ruben Gallego (D-AZ), Dan Kildee (D-MI), Mark DeSaulnier (D-CA), Julia Brownley (D-CA), Elliott Engel (D-NY), Ted Deutch (D-FL), Richard Hanna (R-NY), Kyrsten Sinema (D-AZ), Elizabeth Esty (D-CT), Scott Peters (D-CA), Jan Schakowsky (D-IL), Katherine Clark (D-MA), Brad Sherman (D-CA), Jared Polis (D-CO), and Seth Moulton (D-MA).

The full letter is as follows:

Dear Mr. Ambassador,

Recent media reports emanating from the Kingdom of Saudi Arabia have sparked considerable alarm in the United States. Particularly concerning are reports on the Joint Security Task Force to Fight against Sexual Anomaly, and the use of torture and capital punishment against the LGBTQ community.

Reports suggest that the task force investigates and charges members of the LGBTQ community as though they were pedophiles or rapists. There have also been reports that citizens identifying themselves as LGBTQ on social media can be punished by flogging or even execution.

These reports are highly concerning. Our country respects the sovereignty and cultural traditions of other nations. We want to be clear, however, that the persecution, torture and execution of members of the LGBTQ community are clear violations of human rights. Such actions will be an impediment to the mutually beneficial relations that should exist between our two nations.

The United States stands with oppressed peoples worldwide. Please know that we watch the treatment of LGBTQ individuals, women, victims of rape and domestic violence, religious and ethnic minorities and political dissenters with great interest.

Thank you for your attention to this letter.

Sincerely,

Sean Patrick Maloney

Member of Congress
Tab 10
Human Rights Council
Forty-fifth session
14 September–2 October 2020
Agenda item 5
Human rights bodies and mechanisms

Written statement* submitted by United Nations Watch, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2020]
Candidature of Saudi Arabia for United Nations (UN) Human Rights Council Membership for 2021-2023

Saudi Arabia is running for election to the UN Human Rights Council (HRC) for the 2021-2023 term. Its candidacy should be rejected because Saudi Arabia does not meet the membership criteria set out in UN General Assembly (GA) Resolution 60/251.

Though one often hears the argument that it is normal for the United Nations to include all manner of countries on its Human Rights Council, even those who commit gross and systematic human rights abuses, the truth is that the presence of abusers on the Council undermines the Council’s legitimacy and contradicts its own charter.

According to UNGA Resolution 60/251, which established the Council in 2006, General Assembly members are obliged to elect states to the Council by considering “the candidates’ contribution to the promotion and protection of human rights and their voluntary pledges and commitments made thereto.”

The resolution further provides that consideration ought to be given to whether the candidate can meet membership obligations (a) “to uphold the highest standards in the promotion and protection of human rights” and (b) to “fully cooperate with the Council.”

As detailed below, Saudi Arabia is not qualified for membership in the Human Rights Council according to the above criteria.

Claims Versus Facts

Saudi Arabia has not yet made a campaign pledge, but its latest report to the UNHRC includes the following claims:

1. Claim: “The death sentence is only handed down for the most serious crimes and under strict conditions.”
   
   Facts: Saudi Arabia put to death 184 people in 2019—a record number for the kingdom. The United States of America (U.S.) State Department reports that Saudi Arabia carries out the death sentence for offenses of apostasy, sorcery and adultery.

2. Claim: “Civil society organizations work in partnership with the relevant bodies to prepare and monitor implementation of bills and draft regulations and assist with the publication of reports on human rights.”

   Facts: The Saudi government denies licenses to new organizations and disbands existing ones that “harm national unity,” restricting many civil society groups and other non-governmental institutions. In 2016, the kingdom jailed nearly all the founders of the banned Saudi Civil and Political Rights Association (ACPRA). The country’s terrorism tribunal convicted ACPRA activists Abd al-Aziz al-Shubaily and Issa al-Hamid to eight and nine years in prison respectively, in addition to lengthy travel bans based solely on their peaceful pro-reform advocacy.

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1 National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1, Saudi Arabia, UN Doc. A/HRC/WG.6/31/SAU/1 (August 20, 2018).
3. Claim: “The laws of the Kingdom guarantee freedom of opinion and expression, on which there are no restrictions save those stipulated by law and the need to respect the rights and reputation of others, protect national security and safeguard public order, public health and public decency…”
Facts: Dissidents who dare speak out and advocate democracy or human rights are thrown into prison and tortured. Human rights activist and blogger Raif Badawi, who advocated for a more free society, was jailed in 2014 for “insulting Islam through electronic channels” and tried on several charges including apostasy. He has languished behind bars for more than seven years.

4. Claim: Saudi Arabia is “concerned with the promotion and protection of women’s rights and the empowerment of women.”
Facts: Saudi Arabia has carried out mass arrests of women’s rights activists, a number of whom have allegedly been sexually assaulted and suffered torture including whipping and electric shocks. The government jailed women’s rights activist Loujain al-Hathloul for calling on the government to lift the ban on women driving and end male guardianship laws.6

5. Claim: “The Kingdom is keen to comply fully with the provisions and rules of international humanitarian law and international human rights law. As such, it affirms that all military operations by the Coalition to Support Legitimacy in Yemen are conducted in a manner fully consistent with those provisions and rules.”
Facts: Saudi Arabia has committed war crimes as head of the coalition against the Houthi rebels in Yemen, where Saudi forces continue to bomb civilian areas and contribute to one of the world’s worst humanitarian crises.7

Human Rights Record of Saudi Arabia

- No democracy
- Death sentences for offences of apostasy, sorcery and adultery
- Corporal punishment, including flogging and amputation
- Judicial branch not independent
- Court testimonies by women, non-practicing Sunnis, Shiites and other minorities not considered equal before the law, and may be discounted at judge’s discretion
- Highest number of executions since 1995, often public
- Apostasy and blasphemy punishable by death
- Frequent arbitrary arrests of dissenters and minorities
- Restrictions on free speech
- Complete state censorship of media
- No freedom of assembly and association
- Limitation on academic freedom
- Restrictions on civil society
- Systematic violence and discrimination against women
- Persecution of human rights defenders


• Discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons (LGBTI)

Saudi Arabia is governed by an absolute monarchy and theocracy. Citizens have no ability to influence government through democratic practices. The judiciary is highly influenced by the government and is dictated by Sharia law.\(^8\)

The government and courts systematically deny freedoms of expression and the media, prosecuting and imprisoning dissenters and peaceful critics of government policies or the Islamic religion. Raif Badawi, a Saudi blogger, was convicted in 2014 for insulting Islam and was sentenced to ten years in prison. He was publicly flogged 50 times.\(^9\) There is also no religious freedom in Saudi Arabia.\(^10\)

In 2019, Saudi Arabia carried out a record 184 executions, many for non-violent crimes like drug offences.\(^11\) Apostasy and blasphemy are also punishable by death. In April 2019, there was a mass execution of 37 people who had been convicted of “terrorism” based on confessions extracted through torture.\(^12\)

Same-sex sexual conduct is a crime punishable by death in Saudi Arabia. It is also illegal for a man to have “feminine behavior.”\(^13\) Because of severe discrimination and violence, Saudi Arabia has no organizations to promote LGBTI rights.

Saudi Arabia has one of the most restrictive male guardianship systems in the world that denies women freedom to make basic choices about their lives without approval of a male guardian. Though the system was reformed in August 2019, allowing women over 21 to obtain passports without approval of their guardians, guardians still can file cases of “disobedience” and “absence” and have women arrested.\(^14\) Moreover, many aspects of the guardianship system remain intact, including the requirement for permission to marry.\(^15\)

Saudi Arabia heads the coalition against the Houthi rebels in Yemen. Since March 2015, more than 100,000 Yemenis have been killed and 3.6 million displaced.\(^16\) More than 11 million Yemenis struggle to find food and nearly 2 million children are suffering from acute

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\(^12\) Id.


In the first week after a cease fire was declared in April 2020, the Saudi coalition carried out 106 air strikes in Yemen.

**UN Voting Record**

Negative: Saudi Arabia abstained on a resolution in the General Assembly that spoke out for human rights victims in the Islamic Republic of Iran, although it supported the ones on the Democratic People’s Republic of Korea and the Syrian Arab Republic. Saudi Arabia backed human rights abusers through a resolution denying the right to sanction such governments. At the Human Rights Council, Saudi Arabia abstained on resolutions supporting human rights victims in Belarus and Ukraine and voted against a resolution on gay rights.

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Tab 11
Saudi Arabia

NOT FREE

<table>
<thead>
<tr>
<th>Political Rights</th>
<th>1/40</th>
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</thead>
<tbody>
<tr>
<td>Civil Liberties</td>
<td>6/60</td>
</tr>
</tbody>
</table>

LAST YEAR’S SCORE & STATUS

7/100  Not Free

Global freedom statuses are calculated on a weighted scale. See the methodology.
Overview

Saudi Arabia’s absolute monarchy restricts almost all political rights and civil liberties. No officials at the national level are elected. The regime relies on pervasive surveillance, the criminalization of dissent, appeals to sectarianism and ethnicity, and public spending supported by oil revenues to maintain power. Women and religious minorities face extensive discrimination in law and in practice. Working conditions for the large expatriate labor force are often exploitative.

Key Developments in 2020

- Saudi authorities closed borders, initiated a curfew, and restricted foreign travelers from partaking in the hajj pilgrimage as part of its
efforts to manage the COVID-19 pandemic. The country reported one of the Middle East’s highest infection rates, as infections peaked in June; the World Health Organization reported 362,000 cases and just over 6,200 deaths at year’s end.

- In November, the government announced reforms that would dismantle parts of the *kafala* visa-sponsorship system and allow foreign workers to more easily leave Saudi Arabia. The measures are scheduled to take effect in 2021.

- In December, a terrorism court handed women’s rights activists Loujain al-Hathloul and Maya’a al-Zahrani, who were arrested in 2018, prison sentences of nearly six years. The sentence of al-Hathloul, who was tortured while in detention, was modified to include time served.

**Political Rights**

**A. Electoral Process**

<table>
<thead>
<tr>
<th>A1</th>
<th>0-4 pts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Was the current head of government or other chief national authority elected through free and fair elections?</strong></td>
<td>0 / 4</td>
</tr>
</tbody>
</table>

Saudi Arabia’s king is chosen by his predecessor from among male descendants of the country’s founder, though the choice must be approved by a council of senior princes, the Allegiance Council. The king rules for life. King Salman bin Abdulaziz al-Saud appointed son Mohammed bin Salman as crown prince in 2017, displacing the prince’s older cousin, Mohammed bin
Nayef, who was stripped of all official positions. Bin Nayef was detained along with a sibling of King Salman in March 2020 on charges of treason over an alleged plot to overthrow both the king and the crown prince.

The cabinet, which is appointed by the king, passes legislation that becomes law once ratified by royal decree. King Salman also serves as prime minister, and Mohammed bin Salman serves as deputy prime minister and minister of defense.

### A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections? 0 / 4

The king appoints the 150 members of the Majlis al-Shura (Consultative Council), who serve in an advisory capacity and wield no legislative authority, for four-year terms. King Salman appointed new members in October 2020.

Limited nonpartisan elections for advisory councils at the municipal level were introduced in 2005. In the 2015 elections, two-thirds of the seats on the 284 councils were open to voting, while the rest were filled through appointment by the minister of municipal and rural affairs. Women were allowed to vote and run as candidates for the first time, and a small number won seats. New elections were due in 2019, but were postponed indefinitely without any clear official explanation.

### A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management?
The electoral framework lacks constitutional protections, and the 2015 municipal elections were subject to a number of onerous restrictions. The kingdom’s rules on gender segregation were applied to campaigns, meaning no candidates could produce posters showing their faces or meet in person with voters of the opposite sex. Candidates were also barred from giving media interviews, leading many to campaign via social media. A number of candidates were disqualified for unclear reasons, though some were reinstated after appeals. Ultimately only a small fraction of the citizen population participated in the elections, reflecting doubts about the effectiveness of the advisory councils.

B. Political Pluralism and Participation

<table>
<thead>
<tr>
<th>B1</th>
<th>0-4 pts</th>
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<tbody>
<tr>
<td>Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?</td>
<td>0 / 4</td>
</tr>
</tbody>
</table>

Political parties are forbidden, and political dissent is effectively criminalized. Some of the country’s most prominent political rights organizations and
activists, including founding members of the banned Saudi Civil and Political Rights Association (ACPRA), have been arrested and sentenced to prison in recent years; one founder, Abdullah al-Hamid, died in custody in April 2020. Many other political activists continue to serve lengthy prison sentences. A new political party, the National Assembly party, was established by Saudi exiles living abroad in October.

<table>
<thead>
<tr>
<th>B2 0-4 pts</th>
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</thead>
<tbody>
<tr>
<td><strong>Is there a realistic opportunity for the opposition to increase its support or gain power through elections?</strong></td>
</tr>
</tbody>
</table>

The current leadership has given no indication that it plans to allow competitive elections for positions of executive or legislative authority in the future. Opposition movements are banned, and the government is increasingly intolerant even of moderate critics. The Muslim Brotherhood, a Sunni Islamist political organization, is believed to have the sympathy of a substantial minority of Saudis, but has been designated a terrorist group since 2014.

Other groups and individuals that criticize the regime or call for political reform—whether Sunni or Shiite, Islamist or secularist—are subject to arbitrary detention. Prominent reformist clerics Salman al-Awdah, Awad al-Qarni, and Ali al-Omari were arrested in 2017 as part of a crackdown against those who criticized the government campaign to isolate Qatar over its ties to the Muslim Brotherhood and Iran; all three faced the threat of death penalties on terrorism charges, but their cases have been stalled by arbitrary delays—al-Omari’s trial was paused several times by June 2020—and they remained in detention at year’s end.
Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapoliical means?

The monarchy generally excludes the public from any meaningful political participation. In the absence of political parties, voters in Saudi Arabia’s limited municipal elections are heavily influenced by tribal and religious leaders, many of whom benefit from close ties to the ruling establishment.

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

Although political rights are curtailed for all Saudi citizens, women, religious minorities, and LGBT+ people face additional obstacles to participation given the kingdom’s strict laws and customs on matters including gender segregation and sexual activity, and its intolerance of religious groups that deviate from Wahhabism, a highly conservative and literalist interpretation of Sunni Islam. Some 30 women served in the last parliament, and a female deputy speaker was appointed in October 2020. Women secured about 1 percent of the seats in the 2015 municipal council elections. Shiites reportedly hold a small number of Majlis al-Shura seats and many municipal council seats in Shiite-majority areas.

Members of religious minorities and women are largely excluded from
leadership positions, though some women have held notable roles. A woman was appointed deputy education minister in 2009, and another became deputy labor minister in 2018.

Noncitizens, who make up roughly a third of the population in Saudi Arabia, have no political rights, and citizenship can only be directly transmitted by a citizen father whose marriage is recognized by the state.

C. Functioning of Government

<table>
<thead>
<tr>
<th>C1</th>
<th>0-4 pts</th>
</tr>
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<tbody>
<tr>
<td><strong>Do the freely elected head of government and national legislative representatives determine the policies of the government?</strong></td>
<td>0/4</td>
</tr>
</tbody>
</table>

The kingdom’s only elected officials serve on local advisory councils and have little or no influence over national laws and policies.

<table>
<thead>
<tr>
<th>C2</th>
<th>0-4 pts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Are safeguards against official corruption strong and effective?</strong></td>
<td>1/4</td>
</tr>
</tbody>
</table>

Corruption remains a significant problem. Although the government generates massive revenue from the sale of oil, which it redistributes through social welfare programs and as patronage, little is known about state accounting or the various direct ways in which public wealth becomes a
source of private privilege for the royal family and its clients.

The government has taken some steps to combat corruption and recover misappropriated assets, but its opaque methods have raised serious concerns about politicization and lack of due process. The crown prince heads an anticorruption committee, which in 2017 ordered the detention of more than 300 people, many of whom were coerced into turning over billions of dollars in assets to the state. Bin Salman’s campaign has targeted potential rivals within the royal family, leading observers to suggest these crackdowns are meant to consolidate his political and economic control. Major crackdowns and arrests continued in 2020, with 298 government employees being arrested for corruption in March. Another 59 were arrested in October, and over $160 million worth of assets were seized. In November, 226 public– and private-sector officials were arrested.

Independent whistleblowers and anticorruption advocates have faced punishment. Al-Watan columnist Saleh al-Shehi received a five-year prison sentence in 2018 after suggesting there was corruption in the royal court in a television appearance.

<table>
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<tr>
<th>C3</th>
<th>0-4 pts</th>
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<tbody>
<tr>
<td>Does the government operate with openness and transparency?</td>
<td>0/4</td>
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</table>

The functioning of government is largely opaque. The availability of some economic data is improving, but overall, there is little transparency on whether or how state funds are disbursed, or on the internal decision-making process that allocates them; there is no public mechanism for holding senior
officials accountable for their decisions. The defense budget is especially
shielded from public scrutiny.

The state’s oil revenues make up the vast majority of its financial resources,
but these are tightly controlled by the royal family, which uses the same
income to support itself. In 2018 and 2019, the state oil company, Saudi
Aramco, provided more income and expenditure information in preparation
for an initial public offering. However, amid ongoing questions about its
relationship with the government, the company opted that December to list
shares only on a domestic stock exchange, which entailed less transparency
than would be required on a major international exchange.

Civil Liberties

D. Freedom of Expression
and Belief

| D1 | 0-4 pts | Are there free and independent media? | 0/4 |

The government controls domestic media content and heavily influences
regional print and satellite-television coverage. Journalists can be imprisoned
for a variety of vaguely defined crimes. In December 2020, the Committee to
Protect Journalists reported that 24 journalists were imprisoned in Saudi
Arabia.
A 2011 royal decree amended the press law to criminalize, among other things, any criticism of the country’s grand mufti, the Council of Senior Religious Scholars, or government officials; violations can result in fines and forced closure of media outlets. All blogs and websites must have a Ministry of Information license or face fines and possible closure.

In October 2018, one of the country’s most prominent journalists, Jamal Khashoggi, was murdered by Saudi agents inside the Saudi consulate in Istanbul. Khashoggi, who criticized the government of bin Salman, had been working as a Washington Post columnist in the United States. Saudi officials blamed rogue intelligence agents, but according to a UN special rapporteur, the evidence suggested the crown prince’s involvement. In December 2019, a Saudi court sentenced five men to death for Khashoggi’s murder, and three others received prison sentences; the death sentences were commuted in September 2020. The most senior officials under investigation were acquitted due to a supposed lack of evidence, and bin Salman himself was never officially investigated.

The government maintains an extensive system of social media surveillance and regulation, and invests considerable resources in automated “bot” and other accounts that influence and distort the social media environment and target prominent users. In May 2020, activist Amani al-Zain was reportedly arrested after a video of her criticizing the crown prince—and making a reference to Khashoggi’s murder—surfaced. Progovernment social media users targeted al-Zain online before her arrest.

**D2** 0-4 pts

Are individuals free to practice and express their religious faith or
The 1992 Basic Law declares that the Quran and the Sunna are the country’s constitution. Islam is the official religion, and all Saudis are required by law to be Muslims. A 2014 royal decree punishes atheism with up to 20 years in prison. The government prohibits the public practice of any religion other than Islam and restricts the religious practices of Shiites and of those who practice Sufism. The construction of Shiite mosques is constrained through licensing rules and prohibited outside of Eastern Province, where most Shiites live. Although the government recognizes the right of non-Muslims to worship in private, it does not always respect this right in practice.

The government exercises significant influence over Muslim clerics—both officially appointed figures who depend on government patronage and independent religious scholars who need a measure of official goodwill in order to function openly, appear on television, and avoid penalties.

Online commentary that touches on religion can be harshly punished. Among other prominent cases, liberal blogger Raif Badawi, arrested in 2012, received a 10-year prison sentence for blasphemy in 2014 and remained imprisoned in 2020.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 1/4
Academic freedom is restricted, and informers monitor classrooms for compliance with curriculum rules, including a ban on teaching secular philosophy and religions other than Islam. Despite changes to textbooks in recent years, intolerance in the classroom remains a significant problem, as some educators continue to espouse discriminatory and hateful views of non-Muslims and Muslim minority sects.

Academics have faced punishment for criticizing government policies or for other reasons. History professor and women’s rights activist Hatoon al-Fassi was arrested in 2018, days after her comments on the crown prince’s reforms were publicized. She was provisionally released in May 2019, along with three other activists, but still awaits a trial for illegal contact with foreign media, diplomats, and human rights groups. In August 2020, academic Abdullah Ibn Ali Basfar was arrested under unclear circumstances.

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<tr>
<td>Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?</td>
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Saudis are able to engage in some degree of private discussion on political and other topics, including criticism of certain aspects of government performance, both online and offline. However, severe criminal penalties deter more direct criticism of the regime and free discussion on topics like religion or the royal family. Laws are often vaguely worded, giving the state considerable discretion to determine what constitutes illegal expression.

Surveillance is extensive within Saudi Arabia, and Saudis living and traveling abroad are also subject to spying and intimidation. In November 2019, US
prosecutors accused two former Twitter employees of providing information on users, including perceived government critics, to Saudi authorities. The government is also known to use messaging services to track citizens traveling abroad.

The climate for free expression has deteriorated sharply since 2018, with the assassination of Jamal Khashoggi and the arrests of government critics serving as warnings to ordinary Saudis to avoid public dissent.

E. Associational and Organizational Rights

E1  0-4 pts

Is there freedom of assembly?

0 / 4

Freedom of assembly is not respected, and the government has imposed harsh punishments—including the death penalty—on those who lead or participate in public protests. Hussein al-Rabi was tried in a terrorism court for his involvement in a protest in Eastern Province, and was threatened with torture if he did not confess; al-Rabi was executed in April 2019.

E2  0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights— and governance-related work?

0 / 4
Nongovernmental organizations (NGOs) must obtain a government license to operate. Until the adoption of an NGO law in 2015, officials had approved licenses only for charitable groups; the authorities have expressed a desire to encourage the growth of civil society, but they discourage independent work on human rights and governance issues. Reformist organizations have been denied licenses in practice, in some cases through arbitrary delays.

Human rights activists and other civil society representatives face regular harassment and detention. In 2018, the same year that women were allowed to drive for the first time, authorities arrested 13 women’s rights activists; eight were provisionally released by May 2020, though their trials were still pending at year’s end. In December, a terrorism court handed two of the remaining detainees, Loujain al-Hathloul and Maya’a al-Zahrani, prison sentences of nearly six years, though al-Hathloul’s sentence was modified to include time served.

No domestic NGO openly advocates for LGBT+ rights or issues.

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<td><strong>Is there freedom for trade unions and similar professional or labor organizations?</strong></td>
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No laws protect the rights to form independent labor unions, bargain collectively, or engage in strikes. Workers who engage in union activity are subject to dismissal or detention. A May 2020 COVID-19-related directive banned “gatherings of workers” to five people, while limits on other gatherings were set at 50.
F. Rule of Law

F1  0-4 pts

Is there an independent judiciary?

The judiciary has very little independence in practice. Judges are appointed by the king and overseen by the Supreme Judicial Council, whose chairman is also the justice minister. A special commission of judicial experts issues opinions that serve as guidelines for judges on the interpretation of Sharia (Islamic law), which forms the basis of Saudi law. Judges have significant discretion in how they interpret Sharia and do not have to publish an explanation of their judgments.

F2  0-4 pts

Does due process prevail in civil and criminal matters?

Defendants’ rights are poorly protected by law. Detainees are often denied access to legal counsel during interrogation, and lengthy pretrial detention and detention without charge are common. Due process is notably lacking in death penalty cases. Statistics on prisoners are lacking, and the number of political prisoners is therefore difficult to assess, but Human Rights Watch counted at least 12 activists serving long prison sentences at year’s end.

An antiterrorism law that took effect in 2014 includes lengthy prison sentences for criticizing the monarchy or the government. Among other
provisions, it expanded the power of police to conduct raids targeting suspected antigovernment activity without judicial approval.

The hundreds of people arrested in the anticorruption crackdown in 2017 did not pass through the judicial system, but were instead compelled to hand over assets to the government in return for their release. Government supporters claimed that the judicial process would have taken several years due to a lack of capacity.

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<td><strong>Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?</strong></td>
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Allegations of torture by police and prison officials are common, and access to prisoners by independent human rights and legal organizations is extremely limited. In March 2019, international media published leaked prison medical records indicating that a number of political prisoners suffered from cuts, bruises, burns, and malnutrition. Detained women’s rights activists were reportedly given electric shocks, whipped, beaten, sexually abused, and threatened with rape. The family of Loujain al-Hathloul stated she had been offered freedom on the condition that she recant her torture allegations, but she refused.

Corporal punishment, most often lashing, is common in criminal sentencing, though the government ended the use of flogging for some crimes in an April 2020 decision.

Capital punishment is applied to a wide range of crimes other than murder,
including drug and protest-related offenses. Defendants facing the death penalty are known to confess under torture, but courts do not consistently investigate subsequent retractions. The use of the death penalty declined in 2020; only 15 people were executed in the first 11 months of the year, compared to 184 in all of 2019. In April 2020, the government restated a previous decision to refrain from using capital punishment against those accused of committing certain crimes as children.

Saudi Arabia has faced cross-border military attacks from Yemen since 2015, when it entered a war against that country’s Shiite-led and Iranian-backed Houthi (Ansarallah) movement. In late March 2020, Houthi forces launched missiles at the cities of Riyadh and Jazan; Saudi authorities reported their interception, along with two civilian injuries. Missiles and armed drones were used against several Saudi cities in June and against Riyadh in September, though Saudi authorities claimed to intercept both. The Houthi movement also launched an attack on an oil facility in February, which was reportedly intercepted.

Saudi authorities were accused of firing on, and later detaining, Ethiopian migrants living in Yemen when Houthi forces expelled several thousand of them to the Saudi border in April 2020. After that incident, in which Saudi forces reportedly killed dozens of people, authorities allowed several hundred migrants into the country, but arbitrarily detained them in unsanitary conditions, engaged in acts of torture, and gave detainees no opportunity to challenge deportation orders. Saudi authorities promised to investigate the matter in September.
Do laws, policies, and practices guarantee equal treatment of various segments of the population?

The courts engage in routine discrimination against various groups, citing their interpretations of Sharia. A woman’s testimony is generally given half the weight of a man’s, and the testimony of anyone other than observant Sunni Muslims can be disregarded by judges.

Shiites, who make up 10 to 15 percent of the population, face socioeconomic disadvantages, discrimination in employment, and underrepresentation in government positions and the security forces.

Education and economic rights for Saudi women have improved significantly in recent years, but women are still subject to extensive legal and societal discrimination, most notably through the guardianship system, in which women must rely on a close male relative to approve many basic activities. Although legal reforms have recently reduced the scope of the guardianship system, it remains deeply entrenched in societal practices and customs, and an individual woman’s degree of freedom depends to a large extent on the attitudes of her family. Reforms announced in August 2019 included a ban on gender discrimination in employment, potentially preventing employers from requiring women to obtain a guardian’s permission to work.

Same-sex sexual activity is generally understood to be prohibited under Sharia, and LGBT+ people are at risk of harassment, discrimination, criminal punishment, and violence.

G. Personal Autonomy and
Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

0 / 4

The government punishes activists and critics by limiting their ability to travel outside the country, and reform advocates are routinely stripped of their passports. Family members of activists can also be banned from travel.

Gender segregation restricts freedom of movement for both men and women, but male guardianship and other factors have historically imposed especially onerous constraints on women. The long-standing ban on women driving was lifted in 2018. In August 2019, women over the age of 21 were allowed to apply for a passport without a male guardian’s permission.

Foreign workers currently cannot change jobs without a no-objection letter from their existing employer, and some employers confiscate workers’ passports to prevent them from leaving. In November 2020, the government announced reforms that will allow foreign workers to more easily leave Saudi Arabia when they take effect in March 2021.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

1 / 4
While a great deal of business activity in the kingdom is dominated by or connected to members of the government, the ruling family, or other elite families, officials have given assurances that special industrial and commercial zones are free from interference by the royal family.

Women face legal discrimination regarding property rights, with daughters typically receiving half the inheritance awarded to sons. Women are no longer legally required to obtain permission from a male guardian to obtain business licenses.

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<td><strong>Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?</strong></td>
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There are a number of official restrictions on marriage. Muslim women may not marry non-Muslims, citizens require the interior ministry’s permission to marry noncitizens, and men are barred from marrying women from certain countries. All sexual activity outside of marriage is criminalized, and the death penalty can be applied in certain circumstances. Women face legal disadvantages in divorce and custody proceedings, and cannot marry without a male guardian’s permission. Under reforms announced in August 2019, women can register children’s births and oversee children’s travel.

A 2013 law broadly defined and criminalized domestic abuse, prescribing fines and up to a year in prison for perpetrators. However, enforcement remains problematic, with some officials prioritizing privacy and family integrity over safety and justice for victims. Prosecutions are extremely rare. Women’s
practical ability to leave abusive relationships is severely limited. While women are no longer legally required to live with their husbands under the August 2019 reforms, social taboos and other obstacles often deter women from leaving their family home; there are a limited number of shelters for women escaping abuse, but women are not allowed to leave them without their guardians’ permission.

The religious police’s authority to enforce gender-segregation and personal-attire rules has been sharply curtailed in both law and practice since 2016. Nevertheless, some Saudis have faced penalties for breaching similar rules on social media. In October 2019, an openly gay Saudi man was arrested for electronic crimes and public nudity after using social media to post pictures of himself wearing shorts on the beach.

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<td>Do individuals enjoy equality of opportunity and freedom from economic exploitation?</td>
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A number of amendments to the labor law that went into effect in 2015 granted broader rights and protections to workers in the private sector. However, the law does not apply to household workers, who are governed by separate regulations that provide fewer safeguards against exploitative working conditions.

Foreign workers—who make up more than half of the active labor force—enjoy limited legal protections and remain vulnerable to trafficking and forced labor, primarily through employers’ exploitation of the kafala visa-sponsorship system. In 2014, the Ministry of Labor ruled that expatriate workers who are
not paid their salaries for more than three consecutive months are free to switch their work sponsors without approval. In practice, foreign workers are subject to periodic mass deportations for visa violations or criminal activity, though due process is often lacking in such cases. Some components of the kafala system are to be dismantled as part of a labor reform package announced in November 2020.

Government programs give preferential treatment to companies that hire certain percentages of Saudi citizens and penalize those that fail to meet such targets.
Tab 12
Saudi Arabia held the presidency of the G20 in 2020 despite the country’s longstanding human rights abuses, but the Covid-19 pandemic forced authorities to turn G20 events, including the leaders’ summit, into virtual forums.

Authorities failed to hold high level officials accountable for suspected
involvement in the murder of Saudi journalist Jamal Khashoggi in 2018. Instead, a Saudi court sentenced eight lower level operatives found responsible for the murder to prison terms of 7-20 years in a trial that lacked transparency. The court originally sentenced five of the eight men to death in December 2019, but the penalties were later reduced.

In August, former Saudi intelligence official Saad al-Jabri filed a lawsuit against Saudi Crown Prince Mohammed bin Salman in a United States court alleging that the crown prince sent a hit squad to murder him in Canada in 2018. Saudi authorities detained two of al-Jabri’s adult children in March and held them incommunicado in an apparent effort to coerce al-Jabri to return to Saudi Arabia.

Through 2020, the Saudi-led coalition continued a military campaign against the Houthi rebel group in Yemen that has included scores of unlawful airstrikes that have killed and wounded thousands of civilians.
Saudi authorities in 2020 continued to repress dissidents, human rights activists, and independent clerics. Prominent women’s rights activists detained in 2018 remained in detention while on trial for their women’s rights advocacy, including Loujain al-Hathloul, Mayaa al-Zahrani, Samar Badawi, Nouf Abdulaziz, and Nassima al-Sadah.

Capital trials continued against detainees on charges that related to nothing more than peaceful activism and dissent. By November, those on trial facing the death penalty included prominent cleric **Salman al-Awda**, whose charges were connected to his alleged ties with the Muslim Brotherhood and public support for imprisoned dissidents, as well as **Hassan Farhan al-Maliki** on vague charges relating to the expression of his peaceful religious ideas.

Authorities detained prominent royal family members in 2020, including former Crown Prince **Mohammed bin Nayef** and former Saudi Red Crescent head **Faisal bin Abdullah**, and held them incommunicado. Their legal status remained unclear at the time of writing.

In March, Saudi Arabia opened a mass trial of 68 Jordanians and Palestinians detained beginning in 2018 on vague allegations of links with a “terrorist organization.” Family members of defendants described a range of abuses by Saudi authorities following the arrests, including enforced disappearances, long-term solitary confinement, and torture.

Over a dozen prominent activists convicted on charges arising from their peaceful activities were serving long prison sentences. Prominent activist **Waleed Abu al-Khair** continued to serve a 15-year sentence that the Specialized Criminal Court imposed on him after convicting him in 2014 on charges stemming solely from his peaceful criticism in media interviews and on social media of human rights abuses.
With few exceptions, Saudi Arabia does not tolerate public worship by adherents of religions other than Islam and systematically discriminates against Muslim religious minorities, notably Twelver Shia and Ismailis, including in public education, the justice system, religious freedom, and employment.

Saudi Arabia has no written laws concerning sexual orientation or gender identity, but judges use principles of uncodified Islamic law to sanction people suspected of committing sexual relations outside marriage, including adultery, extramarital, and homosexual sex. If individuals are engaging in such relationships online, judges and prosecutors utilize vague provisions of the country’s anti-cybercrime law that criminalize online activity impinging on “public order, religious values, public morals, and privacy.”

In July, a Saudi court sentenced a Yemeni blogger to 10 months in prison, a fine of 10,000 Saudi Riyals ($2,700), and deportation to Yemen for posting a video on social media calling for equal rights, including for gay people. He had fled Yemen in June 2019 after Yemeni armed groups threatened to kill him and has since been living in Saudi Arabia as an undocumented migrant.

**Yemen Airstrikes and Blockade**

As the leader of the coalition that began military operations against Houthi forces in Yemen on March 26, 2015, Saudi Arabia has committed numerous violations of international humanitarian law. As of June, at least 7,825 civilians had been killed in the conflict, including 2,138 children, and 12,416 wounded since 2015, according to the Office of the United Nations High Commissioner for Human Rights (OHCHR), although the actual civilian casualty count is likely much higher. Most of these casualties were
a result of coalition airstrikes. The Armed Conflict and Event Data Project estimates that 112,000 people have died from the hostilities, including 12,000 civilians.

Since March 2015, Human Rights Watch has documented numerous unlawful attacks by the coalition that have hit homes, markets, hospitals, schools, and mosques. Some of these attacks may amount to war crimes. Saudi commanders face possible criminal liability for war crimes as a matter of command responsibility. Human Rights Watch reported in March that Saudi military forces and Saudi-backed Yemeni forces carried out serious abuses against Yemenis since mid-2019 in al-Mahrah, Yemen’s far eastern governorate, including arbitrary arrests, torture, enforced disappearances, and illegal transfer of detainees to Saudi Arabia.

In September, the UN Group of Eminent International and Regional Experts on Yemen stated that it had “reasonable grounds” to believe that Saudi Arabia, the United Arab Emirates, and the Government of Yemen were responsible for human rights violations in Yemen, and recommended that the UN Security Council refer the situation in Yemen to the International Criminal Court.

The conflict exacerbated an existing humanitarian crisis. The Saudi-led coalition has imposed an aerial and naval blockade since March 2015 and restricted the flow of life-saving goods and the ability for Yemenis to travel into and out of the country to varying degrees throughout the war. (See also Yemen chapter).

**Criminal Justice**

Saudi Arabia applies Sharia (Islamic law) as its national law. There is no formal penal code, but the government has passed some laws and
regulations that subject certain broadly defined offenses to criminal penalties. In the absence of a written penal code or narrowly worded regulations, however, judges and prosecutors can convict people on a wide range of offenses under broad, catch-all charges such as “breaking allegiance with the ruler” or “trying to distort the reputation of the kingdom.” Detainees, including children, commonly face systematic violations of due process and fair trial rights, including arbitrary arrest.

 Judges routinely sentence defendants to floggings of hundreds of lashes. Children can be tried for capital crimes and sentenced as adults if they show physical signs of puberty. In 2020, judges based some capital convictions primarily on confessions that the defendants retracted in court and said had been coerced under torture, allegations the courts did not investigate.

 In April, Saudi authorities announced criminal justice changes ending flogging as a punishment for some crimes and re-stating a 2018 legal change halting the death penalty for alleged child offenders for certain crimes. In August, the Saudi Human Rights Commission announced the judiciary would review three death sentences in accordance with the legal reforms. Ali al-Nimr, Dawoud al-Marhoun, and Abdullah al-Zaher were sentenced to death for allegedly committing crimes when they were children.

 Saudi Arabia dramatically reduced use of capital punishment in 2020. According to Interior Ministry statements, Saudi Arabia executed only 15 persons between January and November, down from 184 executions in 2019. Of the 15 executions, nine were for murder, five for non-violent drug crimes, and one for terrorism. Executions are carried out by firing squad or beheading, sometimes in public.
Women’s and Girls’ Rights

Despite major women’s right reforms in recent years, including an end to travel restrictions (for example, women over 21, like men, can now obtain passports and travel abroad without a guardian’s permission), Saudi women still must obtain a male guardian’s approval to get married, leave prison, or obtain certain healthcare. Women also continue to face discrimination in relation to marriage, family, divorce, and decisions relating to children, including child custody. Men can still file cases against daughters, wives, or female relatives under their guardianship for “disobedience,” which can lead to forcible return to their male guardian’s home or imprisonment. Women’s rights activists remain in jail or on trial for their peaceful advocacy.

In April, Saudi women took to Twitter, using pseudonyms, to share their experiences of sexual harassment, the reasons behind their hesitance to report these abuses to the authorities, and demands for the abolition of the discriminatory male guardianship system.

Migrant Workers

Millions of migrant workers fill mostly manual, clerical, and service jobs in Saudi Arabia. Government efforts attempts to increase citizen employment by nationalizing the workforce, imposing a monthly tax on foreign workers’ dependents in mid-2017, increasing exclusions of migrants from certain employment sectors, and the economic effects of the Covid-19 pandemic in which vast numbers of migrant workers were dismissed from jobs, led to an exodus of migrant workers from Saudi Arabia.

Jadwa Investment, a Riyadh closed joint stock company headed by a son of
King Salman, estimated in July that 1.2 million migrant workers would leave Saudi Arabia in 2020. The Saudi Arabian Monetary Authority (SAMA) annual statistics for 2019 reflected that 47,000 foreigners worked in the public sector and 6.5 million in the private sector, down from 70,000 and 8.4 million in 2015.

Migrant workers continued to report abuse and exploitation, sometimes amounting to forced labor. The kafala (visa sponsorship) system ties migrant workers’ residency permits to “sponsoring” employers, whose written consent is required for workers to change employers or leave the country. Some employers confiscate passports, withhold wages, and force migrants to work against their will. Saudi Arabia also imposes an exit visa requirement, forcing migrant workers to obtain permission from their employer to leave the country. Workers who leave their employer without their consent can be charged with “absconding” and face imprisonment and deportation.

The Covid-19 pandemic has further exposed and amplified the ways in which migrant workers’ rights are violated. In March and April, Human Rights Watch and other international human rights organizations called on governments to take several steps to adequately protect migrant workers from the spread of the virus, including in immigration detention and labor accommodations. Many migrant workers faced dismissals and unpaid wages, and were unable to return home due to expensive tickets and travel restrictions.

In November 2017, Saudi Arabia launched a campaign to detain foreigners found to be in violation of existing labor, residency, or border security laws, including those without valid residency or work permits, or those found working for an employer other than their legal sponsor. By December 2019, authorities announced that the campaign had totaled over
4.4 million arrests, including for over 3.4 million residency law violations and over 675,000 labor law violations. Authorities did not publish updates in 2020.

In April, Saudi border guards fired on Ethiopian migrants who were forced into the Saudi-Yemen border area by Houthi forces, killing dozens, while hundreds of survivors escaped to a mountainous border area. Saudi officials allowed hundreds, if not thousands, to enter the country, but then arbitrarily detained them in unsanitary and abusive facilities without the ability to legally challenge their detention or eventual deportation to Ethiopia. Following media reports highlighting the poor and unhygienic conditions, Saudi Arabia said it would investigate these detention centers.

Saudi Arabia is not party to the 1951 Refugee Convention and does not have an asylum system under which people fearing persecution in their home country can seek protection, leading to a real risk of deporting them to harm.

Migrant domestic workers, predominantly women, faced a range of abuses exacerbated by Covid-19 lockdown restrictions including overwork, forced confinement, non-payment of wages, food deprivation, and psychological, physical, and sexual abuse, for which there was little redress. Domestic workers found it difficult to access help, particularly from their own embassies, due to difficulties in providing shelter during Covid-19 lockdown restrictions.

Key International Actors

As a party to the armed conflict in Yemen, the US provided logistical and intelligence support to Saudi-led coalition forces. A US State Department Inspector General report issued in August found that “the department did
not fully assess risks and implement mitigation measures to reduce civilian casualties and legal concerns associated with the transfer” of weapons to Saudi Arabia and the United Arab Emirates, raising concerns about potential US liability for war crimes.

In July, the United Kingdom imposed human rights sanctions on Saudi officials, including the deputy intelligence chief, in connection with Jamal Khashoggi’s killing. The following day the UK announced it would resume approving arms sales to Saudi Arabia after authorities claimed they developed a “revised methodology” to support the conclusion that previous coalition violations in Yemen were “isolated” incidents despite repeated attacks that hit civilians or civilian infrastructure. A landmark court ruling in 2019 forced the UK government to pause sales until it could show that it had properly evaluated the risk that weapons sold to Saudi Arabia could be used in laws of war violations.

In March, the European Union raised concerns on Saudi Arabia at the UN Human Rights Council, including over the detention of human rights defenders, the death penalty, and the Khashoggi case. In October, the European Parliament adopted a resolution strongly condemning Saudi Arabia’s treatment of Ethiopian migrants and the country’s overall human rights record.

At the UN Human Rights Council in September, Denmark delivered a joint statement on Saudi human rights abuses on behalf of 33 countries, calling on Saudi Arabia to all political dissidents and women’s rights activists, provide accountability for past abuses, and end persistent discrimination against women.

In June, the UN secretary-general removed the Saudi-led coalition from his latest “list of shame” of parties responsible for grave violations against
children during conflict, even though his report concluded that the coalition was responsible for 222 child casualties and 4 attacks on schools and hospitals in Yemen in 2019.

Saudi Arabia’s Public Investment Fund (PIF), the country’s sovereign wealth funded headed by Mohammed bin Salman, attempted to acquire the Newcastle United F.C. Premier League club in 2020, but the bid was eventually withdrawn following protests.
Tab 13
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CRIMINALISATION

Palestine

14 Qatar

15 Saudi Arabia

Section 152(2) of the British Mandate Criminal Code (Ordinance No. 74 of 1936) states that any person who: “(a) has carnal knowledge of any person against the order of nature”; or “(b) permits a male person to have carnal knowledge of him or her against the order of nature” is guilty of a felony and liable to imprisonment for ten years.

Article 285 of the Penal Code (Law No. 11) (2004) states that whoever “copulates with a male over sixteen years of age without compulsion, duress or ruse shall be punished with imprisonment for a term up to seven years”. The same penalty applies “to the male for his consent”.

Article 296(3) criminalises the leading, instigating, or seducing of a male to commit sodomy and Article 296(4) criminalises the inducing or seducing of a male or female in any way to commit illegal or immoral actions. Both may result in imprisonment for up to 3 years.

Additionally, Article 298 criminalises “sodomy as a profession or for a living” with imprisonment for a term up to ten years.

In 2013, Qatar was one of the countries in the Gulf Cooperation Council that was exploring a ban on gay, lesbian, bisexual, and transgender foreigners from working in the region, an initiative first proposed by Kuwait. Some analysts have suggested that Qatar backtracked on this decision only as a result of significant international criticism, in light of a potential boycott of the 2022 World Cup.

There is no codified Penal Law in Saudi Arabia, with Sharia law being the law of the land. All sexual relations outside of marriage are illegal and the penalty for a married man who engages in consensual same-sex intercourse is generally understood to be death by stoning.

> Enforcement

Besides the documented cases of death penalty, numerous instances of arrests, prosecutions and convictions to flogging and imprisonment have been recorded in the last two decades in Saudi Arabia. Events that made it to media headlines include numerous cases where people were accused and convicted to imprisonment or flogging for a multiplicity of crimes.

These include cases of sodomy, deviant sexual behaviour, men living together as married couples, encouraging or promoting homosexuality, participating in purported gay weddings or gay parties, cross-dressing and behaving like women, homosexual prostitution, and violating public order and morals with sexual references.

175 Habib Toumi, “Gulf homosexual ban was ‘just a proposal’: Kuwait chief”, Gulf News, 20 October 2013.
177 This is discussed in greater detail in Saudi Arabia’s entry in the section on the death penalty.
178 See entry for Saudi Arabia in the special dossier on Death Penalty of this report.
179 The crimes named in this entry only reflect the way in which events were reported by media outlets or organisations. The specific provisions relied upon by authorities and charges filed in each one of these cases is unknown.
187 “Police kicked and tortured blogger to make him confess he is gay”, Gay Star News, 8 June 2020.
Raid in clubs and hotels where "gay men" were arrested have taken place. In several of these reports, the Commission for the Promotion of Virtue and Prevention of Vice (CPVPV) is mentioned as having a leading role in these instances of enforcement. There are also reports of the use of forced anal examinations. In April 2012, the Commission was reportedly asked to enforce new orders to bar the entry of "gays and tomboys" from its government schools and universities until they "prove they have been corrected and have stopped such practices." Despite the abundance of documented cases, the total number of arrests, prosecutions and convictions remains largely unknown. In stark contrast to the limited number of instances that make headlines, according to a 2012 report by Saudi newspaper Okaz, the government had arrested over 260 people for "homosexuality" over a one-year period around 2012.

Section 377A of the Penal Code (Chapter 224) criminalises any male person "who, in public or private, commits, or abets the commission of, or procures or attempts to procure the commission by any male person of, any act of gross indecency with another male person". This carries a possible punishment of imprisonment which may extend to two years.

In Ong Ming Johnson v Attorney-General (2020), the High Court dismissed three constitutional challenges against Section 377A. The High Court stated that Section 377A "serves the purpose of safeguarding public morality by showing societal moral disapproval of male homosexual acts", despite it not being actively enforced.

Section 294(a) of the Penal Code criminalises "obscene acts" in public, "to the annoyance of others", which may result in imprisonment for up to three months, a fine, or both. In Tan Eng Hong v Attorney-General (2012), two men, who were arrested for engaging in oral sex in a cubicle of a public toilet, were initially charged under Section 377A of the Penal Code. The Prosecution later substituted the charge with a different one under Section 294(a), after one of the accused brought a constitutional challenge against Section 377A.

Article 365 of the Penal Code (Cap. 19) punishes "unnatural offences"—defined as "carnal intercourse against the order of nature with any man, woman or animal"—with imprisonment for up to 10 years.

In 2020, there have been several reports of arrests and prosecutions pursuant to Articles 365 and 365A of the Penal Code, with forced anal examinations reportedly used in the gathering of evidence of homosexuality.

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189 “Saudi Arabia bans ‘gays, tom-boys’ from schools”, Emirates 24/7, 16 April 2012.


192 Lydia Lam, “High Court judge dismisses all three challenges to Section 377A”, Channel News Asia, 30 March 2020.

Tab 14
URGENT ACTION UPDATE: 10 MONTH SENTENCE FOR YEMENI LGBTI RIGHTS DEFENDER (SAUDI ARABIA: UA 110.20)

September 16, 2020

Yemeni LGBTI rights defender Mohamed al-Bokari who has been detained in Malaz Prison in Saudi Arabia’s capital Riyadh since 8 April 2020, attended his first trial session on 20 July. Al-Bokari was charged with violating public morality, promoting homosexuality online and imitating women. He was sentenced to 10 months in prison after which he is to be deported back to his home country, Yemen, where his life is at risk by armed groups. He has had no legal representation throughout his detention and trial.
We have received updated information regarding this case and require no further action from the Urgent Action Network. Thank you to all those who sent appeals. For more information about this case, please see the Word/PDF attachments below or email uan@aiusa.org.

ADDITIONAL RESOURCES

- **READ THE FULL URGENT ACTION**: [Word](#) or [PDF](#)
- **GET INSPIRED**: Read about the people you have helped
- **READ TIPS** for writing effective letters and emails
- **CONTACT US**: uan@aiusa.org

DOWNLOADS

- **UA 110.20 - Word**
- **UA 110.20 - PDF**
Saudi Arabia: Alleged Transvestites Sentenced to Brutal Flogging

Press Release April 20, 2000

The International Gay and Lesbian Human Rights Commission (IGLHRC) condemns the reported decision of a Saudi Arabian court to sentence nine young men to up to 2,600 lashes each for so-called "deviant sexual behavior."

"These brutal acts of torture are especially shocking as Saudi Arabia is a founding member of the United Nations and a signatory to the U.N. Convention Against Torture," said Kamal Fizazi, IGLHRC's Program Officer for Southwest Asia.

A court in the western city of Qunfada reportedly ruled on April 15 that the men are guilty of transvestism and had participated in "deviant" sexual acts with each other. The sentences - blatantly violating the U.N. convention that prohibits the use of torture and cruel and degrading punishment - will be carried out at 15-day intervals, during which the men are supposed to recover from one beating before the next is inflicted. This will take two years.

The men were arrested after surveillance by police, who allegedly found that they were dressing in women's clothes. In addition, the nine men were sentenced to four to six years in prison.

"Torture is torture," said Surina Khan, IGLHRC Executive Director. "That a court commands it only redoubles the injustice. The Saudi sentence is an outrage."
The Saudi government’s human rights record and its secretive judicial system have earned the condemnation of international human rights organizations, including Amnesty International. Ironically, Saudi Arabia has recently responded to such criticism by inviting international organizations to inspect its judicial system.

Members of the international lesbian and gay Muslim community also are horrified by the Saudi ruling. Faisal Alam, founder of the Al-Fatiha Foundation, an international gay Muslim organization, said, "Islam is a religion of justice, and Saudi Arabia sees itself as the guardian of that holy mission. It is appalling that during the dawn of the Muslim New Year, the Saudi Arabian government violates all norms of justice, bringing shame to all Muslims and tarnishing Islam."

Fizazi is coordinating and consulting with activists and experts on Saudi Arabia. He expressed concern that the Saudi record of intransigence on human rights issues might make protest self-defeating.

"IGLHRC will obtain as much information as possible on these shocking reports," he stated. "While we will respond, it is imperative not to give the Saudi government an impetus to widen its crackdown. We urge everyone to wait for a measured response which will not worsen the situation."

IGLHRC’s mission is to protect and advance the human rights of all people and communities subject to discrimination or abuse on the basis of sexual orientation, gender identity or HIV status.

Background:
Saudi Arabia's ratification of International Human Rights Treaties:
http://www.unhchr.ch/tbs/doc.nsf/(AllExternalViewsFrame)/5c9f39886400f7aa802566b1005fbf87?Opendocument

Convention on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Ratified 23 September 1997, with reservations on articles 20, 30(1).)

Related news stories:

AP news site:

Independent (UK) site
http://www.independent.co.uk/news/World/Middle_East/2000-04/deviants17 0400.shtml
Published on April 20, 2000 | OutRight Action International an LGBT human rights organization
Tab 16
(Beirut) – A **Saudi** court sentenced a **Yemeni** blogger to jail and then deportation to Yemen for a social media post supporting equal rights for all in Saudi Arabia, Human Rights Watch said today. After a trial in which he was provided no counsel, Mohamad al-Bokari, a Yemeni living in Riyadh, was sentenced on July 20, 2020 to 10 months in prison and a fine of 10,000 Saudi Riyals (US$2,700). Al-Bokari has 30 days to appeal.

The authorities arrested al-Bokari, 29, on April 8 for posting a video on social media calling for equal rights, including for gay people. He had fled Yemen in June 2019 after Yemeni armed groups threatened to kill him and has since been living in Saudi Arabia as an undocumented migrant. A source in contact with al-Bokari told Human Rights Watch that before his trial, he was held in solitary confinement for six weeks in al-Malaz prison in Riyadh, in a hot and humid cell with no windows, no air-conditioning, and insufficient ventilation.
“Saudi Arabia’s public relations campaigns tout the kingdom’s ‘progress,’ but the court’s jail sentence for peaceful speech and then deportation to Yemen where the defendant’s life is at risk shows how hollow these claims are,” said Rasha Younes, lesbian, gay, bisexual, and transgender (LGBT) rights researcher at Human Rights Watch. “Saudi Arabia should match rhetoric with reality and drop the case and the deportation against al-Bokari immediately.”

The source told Human Rights Watch that after his sentencing, al-Bokari was returned to a shared cell with other prisoners who have verbally abused him, including by calling him a “devil worshipper” who “deserves the death penalty.”

The source said that since al-Bokari was sentenced, his health had rapidly deteriorated and he was transferred to a hospital. Al-Bokari, who suffers from a chronic heart condition, underwent an electrocardiogram (ECG), and was discharged without being informed of the test results. The doctors denied that he had a heart condition and denied him access to medication, said the source, who believes he is “on the verge of collapsing.”

After al-Bokari’s arrest in April, the source said, security officers subjected him to a forced anal exam, an internationally discredited practice used to seek “proof” of homosexual conduct, that can amount to torture. They continued to beat him and verbally abuse him in detention.

Al-Bokari was charged with violating public morality by promoting homosexuality online, and “imitating women.” These charges show that the court decision is based on discriminatory accusations against al-Bokari based on his perceived sexual orientation and gender expression, Human Rights Watch said.

The source said al-Bokari told him that the court claimed he “confessed that he fled Yemen because he was ‘imitating women.’” But Human Rights Watch
reviewed recorded phone communications and messages via social media in which Yemeni armed groups and private individuals threaten al-Bokari with death, which led him to flee. Deporting him to Yemen on release seems likely to put his life at risk, Human Rights Watch said. It would appear to violate customary international law prohibitions against returning someone to a place where they face a real risk of torture or other grave harm.

Saudi authorities regularly pursue charges against human rights activists based on their peaceful exercise of freedom of expression, in violation of international human rights obligations. Saudi Arabia has no written laws concerning sexual orientation or gender identity, but judges use principles of uncodified Islamic law to sanction people suspected of having sexual relations outside marriage, including adultery, extramarital and homosexual sex, or other “immoral” acts.

If such activity is discussed online, judges and prosecutors utilize vague provisions of the country’s anti-cybercrime law that criminalize online activity impinging on “public order, religious values, public morals, and privacy.”

The Arab Charter on Human Rights, which Saudi Arabia has ratified, guarantees the right to freedom of opinion and expression in article 32. The United Nations General Assembly’s Declaration on the Rights of Human Rights Defenders states that everyone has the right, individually and in association with others, to “impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms.”
Tab 17
HUMAN RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA

REVIEW OF 2019
Amnesty International is a global movement of more than 7 million people who campaign for a world where human rights are enjoyed by all.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.
HUMAN RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA

REVIEW OF 2019
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Mass protests shook the Middle East and North Africa (MENA) in 2019, notably in Algeria, Iran, Iraq, Lebanon and the Occupied Palestinian Territories. Authorities used excessive force – most outrageously lethal force causing hundreds of deaths in Iran and Iraq – as well as arbitrary detentions in a bid to quash them. Governments across the region heavily restricted freedom of expression and civil society activities, with some particularly clamping down on those criticizing the authorities on social media. Hundreds of human rights defenders were targeted.

There were widespread patterns of violations by security forces in the context of the criminal justice system, including torture and other ill-treatment and enforced disappearances, most notably in Egypt, Iran, Libya, Saudi Arabia and Syria. In general, security forces enjoyed impunity. The most significant initiative to shed light on and seek redress for abuses of security forces, albeit past rather than current abuses, was undoubtedly Tunisia’s Truth and Dignity Commission, which concluded its work in 2019 and made recommendations that were relevant to governments across the region.

Actors in the region’s armed conflicts committed war crimes and other serious violations of international humanitarian law, in some cases restricting humanitarian access that affected health care and other basic services. Other military powers fuelled violations through illicit arms transfers and direct military support to belligerents. In the context of widespread impunity, progress towards an investigation by the International Criminal Court into the situation in the Occupied Palestinian Territories was welcome news. Lebanon and Jordan continued to host over 3 million refugees from Syria, but blocked the entry of new arrivals and, in Lebanon’s case, expelled thousands who had entered “illegally”. Military offensives and other fighting internally displaced hundreds of thousands of people in Libya, Syria and Yemen.

Reforms were announced in several countries, particularly in the Gulf, to improve protection for migrant workers, but they continued to face exploitation and abuse. Like the two previous years, 2019 saw a few welcome developments...
at a legislative and institutional level with respect to women’s rights and violence against women, but the severe repression of women’s rights defenders in countries like Iran and Saudi Arabia cast a long shadow over them. Authorities across the region heavily repressed the rights of lesbian, gay, bisexual, transgender and intersex people, arresting scores of individuals because of their real or perceived sexual orientation or gender identity and subjecting some men to forced anal examinations.

**PROTESTS**

Mass protests shook countries across the Middle East and North Africa, as well as many other places across the world, in 2019. Those in Algeria, Iraq and Lebanon, like their equivalents in Sudan, coalesced into long-running waves of contestation that challenged the entire political system and called for profound institutional reform; those in Iran might have done had they not been so violently repressed. The ability of largely peaceful protesters to maintain momentum over weeks and months was striking in a context where many assumed that the repression and armed violence that followed the uprisings in the region a decade ago – Iran in 2009, Tunisia, Egypt, Yemen, Bahrain, Libya, Saudi Arabia and Syria in 2010-2011 – had intimidated populations from taking to the streets in numbers to demand their rights and challenge injustice.

Smaller protests also broke out elsewhere in the region, including Egypt, where they represented a rare challenge to the current president, the Gaza Strip (against the de facto Hamas authorities), Jordan, Morocco and Western Sahara, Oman and Tunisia. In these and the bigger waves of protests in Algeria, Iran, Iraq and Lebanon, many protesters demanded an end to corruption, while demanding better living and working conditions and greater respect of socio-economic rights. Some called for gender equality and an end to gender-based violence; women’s rights groups in Algeria, for instance, called for the repeal of the discriminatory Family Code. Some were campaigning on environmental concerns.

The impact of Israel’s 52-year-old occupation of Palestinian territories and its illegal 12-year-old air, land and sea blockade of the Gaza Strip, which amounted to collective punishment, continued to be the focus of demonstrations by Palestinians in Gaza and the West Bank. Both the occupation and the blockade severely impacted freedom of movement and health services, particularly in Gaza, and led to the demolition of hundreds of homes in the West Bank, including East Jerusalem, and the ensuing displacement of hundreds of Palestinians. The situation was exacerbated by Israel’s expansion of illegal settlements in the West Bank and the US government’s announcement that – in contradiction with international law – it no longer considered those settlements as illegal.

Authorities employed a range of tactics to repress protests. Amnesty International recorded credible allegations of unnecessary or excessive use of force, such as the deployment of rubber bullets, tear gas, water cannons and baton-wielding officers, against peaceful demonstrators, by security forces during demonstrations in 10 countries in 2019. In Iran and Iraq, security forces resorted extensively to firing live ammunition at protesters, causing hundreds of deaths – over 800, according to Amnesty International’s latest figures – and thousands of injuries. Israeli military and security forces killed dozens of Palestinians during demonstrations in the Gaza Strip and West Bank, continuing a long-standing pattern.

Security forces arbitrarily arrested thousands of protesters across the region, particularly in Algeria, Egypt, Iran and Iraq, detaining many and accusing them of security-related offences. Governments also sought to disrupt communication networks. In Iran, authorities implemented a near-total internet shutdown during protests in November in a bid to prevent people from sharing images and videos of the lethal force used by security forces. In Egypt, authorities disrupted online messaging applications to thwart further protests.

Governments in the MENA region must respect the right to protest peacefully, rein in security forces, particularly to stop them using live ammunition when there is no imminent risk to life and open independent and impartial investigations into killings of protesters. They should also address the rights-based demands of protesters.

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**Four Yemeni girls at a camp for internally displaced people in Sa’ada, Lahij governorate, Yemen, in June 2019. They and their families had been displaced by fighting in Ta’izz in 2018. © Amnesty International**
FREEDOM OF EXPRESSION

Authorities across the MENA region heavily restricted freedom of expression. According to Amnesty International’s figures for 2019, which are by no means comprehensive, individuals were detained as prisoners of conscience in 12 countries in the region and 136 people were arrested solely for their peaceful expression online. Some governments particularly clamped down on those criticizing the authorities or challenging state policy on social media. In Algeria, Bahrain, Egypt, Iran, Jordan, Kuwait, Lebanon, Libya, Morocco and Western Sahara, Saudi Arabia and Tunisia, journalists, bloggers and activists who posted statements or videos deemed critical of the head of state or other authorities on social media found themselves targeted for arrest, questioning and prosecution. In many cases, they were then detained; in some, they were convicted and sentenced to prison terms.

Human rights defenders were subjected to a range of attacks by governments. Amnesty International recorded 367 human rights defenders being subject to detention and 118 to prosecution in 2019; the true numbers are likely to be considerably higher. In Iran alone, at least 240 human rights defenders were arbitrarily detained. In Saudi Arabia, by the end of the year, virtually all the country’s human rights defenders were in detention without charge, or were on trial or serving prison terms. In Egypt, human rights defenders were increasingly targeted for arrest and torture or other ill-treatment following the 20 September protests. The Israeli authorities used a range of measures, including raids, incitement campaigns, movement restrictions and judicial harassment, to target human rights defenders, journalists and others who criticized Israel’s continuing occupation of the West Bank, Gaza Strip and Syrian Golan Heights.

New evidence emerged in 2019 about the sophistication of digital attacks against human rights defenders globally, including in the MENA region. Amnesty International found, for instance, that two Moroccan human rights defenders had been targeted repeatedly by surveillance technology developed by the Israeli company NSO Group since 2017. It had previously documented the targeting of activists from Saudi Arabia and the UAE, as well as an Amnesty International staff member, with malware from the same source. The justification for the production of this technology, and the purchase and use of it by government clients, is that it is used to fight crime and terrorism; the profile of those targeted belies this claim. Amnesty International supported legal action to take the Israeli ministry of defence to court, demanding that it revokes the export licence of NSO. Facebook and WhatsApp filed a lawsuit in a US federal court against it, alleging that, working on behalf of Bahrain, the UAE and other countries, NSO had targeted 1,400 private devices, whose users included journalists, human rights activists and political dissidents in multiple countries, including Bahrain and the UAE.

Widespread targeted phishing attacks also continued against human rights defenders, including those who had taken extra steps to secure their online accounts, such as by using more secure email providers or enabling two-factor authentication on their online accounts. Attackers created websites that imitated the log-in prompt of an online service with the objective of luring a victim into visiting the malicious page and entering their username and passwords, thereby transmitting these credentials to the attackers.

Meanwhile, a Reuters investigation exposed the UAE’s involvement in an initiative in which US intelligence operatives reportedly helped the UAE keep human rights activists and others under surveillance across the globe with no judicial oversight.

Authorities also resorted to censoring the internet. In Egypt, the authorities added the websites of broadcasters BBC and Alhurra to the list of 513 websites already blocked. The Palestinian authorities in the West Bank blocked access to 59 websites on security grounds; all of them shared content critical of the authorities. In Iran, Facebook, Telegram, Twitter and YouTube remained blocked.

MENA governments must release all prisoners of conscience immediately and unconditionally, tolerate peaceful criticism both offline and online, and stop harassing human rights defenders by judicial and other means. Governments worldwide should follow the recommendation of the UN Special Rapporteur on freedom of expression to implement a moratorium on the sale and transfer of surveillance equipment until a proper human rights regulatory framework is put in place.

CRIMINAL JUSTICE SYSTEMS

There were widespread patterns of violations by security forces in the context of the criminal justice system. Within the MENA region in 2019, there were credible allegations of torture or other ill-treatment in state custody in at least 18 countries, particularly during the interrogation phase and often to extract “confessions”. In Egypt and Iran among other countries, prison authorities also used prolonged solitary confinement or denial of medical care to punish prisoners held for politically motivated reasons; such practices violate the prohibition of torture and other ill-treatment. There were deaths in state custody that were credibly alleged to have resulted from torture or other ill-treatment in at least seven countries.

There were credible allegations of enforced disappearance by the state in at least eight countries. In Egypt, hundreds of dissidents were forcibly disappeared for up to 183 days. In Iran, some of those arrested following protests in November were subjected to enforced disappearance. In Yemen, Huthi forces subjected some of the scores of the critics and opponents it arbitrarily detained to enforced disappearance. In Syria, tens of thousands of people remained disappeared and security forces continued to hold thousands of detainees arrested in previous years without trial, often in conditions that amounted to enforced disappearance.
In countries including Egypt, Iran, Israel and the Occupied Palestinian Territories, Saudi Arabia and Syria, exceptional courts, such as military, revolutionary and security courts, were used extensively, leading to trials that grossly violated fair trial standards. Trials before ordinary criminal courts could be just as problematic. Across the region, courts convicted defendants on the basis of torture-tainted evidence. In some countries, notably Egypt, Iran, Iraq and Saudi Arabia, the death penalty was imposed and implemented following such trials.

Some of the most serious violations were carried out in the context of operations authorities qualified as counter-terrorism campaigns or security measures. In a few countries, governments had legitimate reasons to take measures to protect civilians from abuses by armed groups. In Iraq, the armed group calling itself Islamic State (IS) continued to target civilians in assassinations and bomb attacks. In Egypt, armed groups in Sinai conducted sporadic attacks that killed or injured people, although at a lesser rate than in previous years. However, not only did the measures taken against alleged members of such groups often involve gross human rights violations, authorities used the pretext of security to conduct thinly veiled attacks against civil society.

In general, security forces enjoyed wide-ranging impunity. The most significant initiative to shed light on abuses of security forces, albeit past rather than current abuses, was undoubtedly Tunisia’s Truth and Dignity Commission, which concluded its work in 2019. By the end of its mandate, the Commission had transferred 173 cases to specialized criminal chambers after receiving more than 62,000 complaints from victims. At least 78 trials, involving cases of torture, extrajudicial executions and enforced disappearances, began before these chambers during the year.

Many of the Commission’s recommendations could be applied to states across the region, including the reform of judicial and security sectors, the creation of independent bodies to oversee the work of security services and accountability for crimes perpetrated.

**ARMED CONFLICT**

Armed conflicts continued to afflict the lives of civilians in Iraq, Libya, Syria and Yemen, where fluctuating levels of violence reflected shifting alliances on the ground and the interests of external military powers. In Gaza and southern Israel, sporadic bursts of armed hostilities flared up between Israel and Palestinian armed groups.

The conflicts’ multiple actors committed war crimes and other serious violations of international humanitarian law. Some...
actors carried out direct attacks against civilians or civilian infrastructure. In their military campaign in areas of north-western Syria controlled by Hay’at Tahrir al-Sham, an armed group, Syrian government forces targeted civilian homes, bakeries, medical facilities and rescue operations, killing and injuring hundreds of civilians, including rescue and medical workers. In Yemen, Huthi forces, which controlled large parts of the country, targeted civilian infrastructure, including airports, in Saudi Arabia, causing civilian casualties, and claimed responsibility for attacks on oil processing facilities in the east of the country.

Almost all actors carried out indiscriminate attacks that killed and injured civilians in the form of air strikes, in the case of those with air power, and shelling of residential areas with artillery, mortars and rockets. In Syria, these actors included, in addition to Syrian government forces, Turkey and allied Syrian armed groups during the military offensive launched in October in the north-east of the country against a Kurdish-led alliance, in which scores of civilians were killed. In Libya, many of the nearly 300 civilians killed as a result of the armed conflict in 2019 were killed in indiscriminate attacks using inaccurate explosive weapons in populated civilian areas. Many fell victim to fighting in and around Tripoli between the UN-backed Government of National Accord (GNA) and the Libyan National Army (LNA), which launched an offensive to take control of the capital and surrounding areas in April. In Yemen, both Huthi and anti-Huthi forces shelled residential neighbourhoods, while bombings by the coalition led by Saudi Arabia and the UAE killed and injured hundreds of civilians.

Restriction of humanitarian access remained a tactic of some actors, undermining the economic and social rights of civilians in areas affected. In Syria, according to the UN, government forces failed to approve around half of its requests to carry out humanitarian missions to monitor, assess and accompany aid deliveries. Elsewhere the fighting itself aggravated humanitarian needs. In Libya, the battles in and around Tripoli interrupted access to health care, electricity and other basic services. In Yemen the conflict continued to have a disproportionate impact on people with disabilities.

Military powers inside and outside the region played a pernicious role, fuelling violations through illicit arms transfers and direct military support to belligerents and refusing to investigate their armed forces’ own involvement in violations of international law. In Libya, rival factions increasingly relied on foreign military backing to change the balance of power. The GNA’s primary sponsor, Turkey, provided it with armoured fighting vehicles and armed drones and the LNA’s primary sponsor, the UAE, provided it with Chinese-manufactured drones and operated them on its behalf, all in flagrant violation of a comprehensive UN arms embargo in place since 2011.

In Syria, Russia maintained its direct support of military campaigns by government forces that violated international law, while Turkey backed armed groups that engaged in abductions and summary killings. In Syria and Iraq, Iran provided military support to government forces and militias responsible for serious violations. The USA and its coalition allies, meanwhile, continued to shirk their responsibility to investigate hundreds of civilian deaths during their bombing campaigns to defeat IS.

There was little accountability for war crimes and other grave violations of international law committed during or as a result of armed hostilities. The announcement by the Prosecutor of the International Criminal Court that a preliminary examination into Palestine had concluded that war crimes had been committed in the Occupied Palestinian Territories and that an investigation should be opened once the Court’s territorial jurisdiction had been confirmed was therefore a welcome historic step, offering a crucial opportunity to break the cycle of impunity.

Given the obstacles ahead, it is crucial that all governments support the Court and other international justice mechanisms to pave the way to truth, justice and reparations for the victims of war crimes and crimes against humanity committed in the region. Parties to ongoing armed conflicts there must abide by international humanitarian law, particularly by ending direct attacks against civilians or civilian infrastructure and indiscriminate attacks and refraining from using explosive weapons with wide-area effects in civilian areas. Military powers must halt arms transfers where there is a significant risk that they will be used in violation of international law; regrettably, such risks are high in all the ongoing conflicts in the region.

REFUGEES AND INTERNALLY DISPLACED PEOPLE

Lebanon, Jordan and Turkey continued to host the majority of the 5 million refugees from Syria who had fled the country since the start of the crisis in 2011, illustrating the failure of the international community to shoulder their burden-sharing responsibilities. Lebanon, Jordan and Turkey all blocked the entry of new refugees. The dire humanitarian conditions there — exacerbated by the shortage of humanitarian aid, the inability of refugees to find jobs and administrative and financial obstacles to obtain or renew residency permits — pushed tens of thousands of refugees to return to Syria. Lebanon deported thousands of refugees to Syria following an announcement in April that it would expel refugees who entered “illegally”, in violation of its non-refoulement obligations.

The situation for tens of thousands of refugees, asylum-seekers and migrants in Libya remained bleak, as they were exposed to arbitrary arrest and abduction by militias and were regularly the victims of human trafficking and abuses by criminal groups. Those detained were kept in inhuman conditions and faced
overcrowding as well as shortages of food, water and medical treatment.

There were new waves of displacement through the year. In Syria, the military offensives in the north-west and north-east of the country displaced over half a million people, swelling the total number of internally displaced people to 6.6 million. In Yemen, renewed fighting between Houthi and anti-Houthi forces in the southern governorate of Dhale’ led to thousands of people being displaced, contributing to a total of over 3.5 million. In Iraq, over 1.5 million people remained internally displaced as a result of the armed conflict against IS, the majority in camps and informal settlements following secondary displacement. In Libya, the fighting in and around Tripoli displaced more than 140,000 people.

Governments in the region must halt direct and constructive refoulement of refugees and asylum-seekers to Syria and other countries, while Western and other states must take on much greater burden-sharing responsibility, including through resettlement.

**MIGRANT WORKERS**

Reforms to improve protection for migrant workers were announced in several countries, particularly in the Gulf, where they make up a very high proportion of the workforce. Qatar promised to abolish the *kafala* (sponsorship) system, which ties migrant domestic workers to their employers, and took some measures to overcome barriers faced by migrant workers when seeking justice for abuses and to combat systemic abuse during their recruitment. Jordan also announced it would be reviewing its *kafala* system. The UAE removed the job title criteria for sponsorship, allowing more residents to sponsor family members to live in the country.

Nonetheless, migrant workers in Bahrain, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia and the UAE continued to face exploitation and abuse as a result of existing *kafala* systems. Domestic workers generally remained excluded altogether from the protections provided by labour laws.

Legal reforms to protect migrants’ rights must go further. As a start, authorities in the Gulf and elsewhere must abolish *kafala* systems completely.

**WOMEN AND GIRLS**

Like the two previous years, 2019 saw a few welcome developments at a legislative and institutional level with respect to women’s rights and violence against women. Such changes, while limited relative to those needed, owed much to the efforts of the women’s rights movement in the region. However, their achievements were undermined by the severe repression of women’s rights defenders in some countries, particularly Iran and Saudi Arabia, the weak implementation of previous reforms, generalized discrimination in law and practice against women, notably in matters of marriage and divorce, inheritance and child custody, and inadequate action against sexual and other gender-based violence.

Saudi Arabia undertook long-overdue major reforms to the discriminatory male guardianship system, easing major restrictions on women’s freedom of movement, but women still need the permission of a male guardian to marry. Ironically, five women human rights defenders spent the whole of the year in detention, partly for calling for these very reforms. Iran enacted a new law...
allowing Iranian women married to men with foreign nationality to pass on Iranian citizenship to their children on condition that they passed a security screening.

However, this small step had to be set against the intensification of the authorities’ crackdown against women’s rights defenders campaigning against discriminatory forced veiling laws and bans on women entering football stadiums.

In welcome developments, Jordan and Tunisia followed up on steps taken in 2018 to improve protection from violence for women and girls; in doing so, they revealed the size of the challenge facing them. After the Tunisian authorities established a complaints mechanism in 2018, they received tens of thousands of complaints from women who had experienced domestic violence. In neighbouring Libya, authorities were either unwilling or incapable of tackling gender-based violence at the hands of militias and armed groups.

A shelter for women at risk of being killed by family members established in Jordan in 2018 protected dozens of such women during the year. “Honour” killings took the lives of over 20 Palestinian women and girls in the neighbouring West Bank and Gaza Strip. Meanwhile, Oman strengthened the criminalization of female genital mutilation.

Authorities need to accelerate the trend towards greater recognition of women’s rights in law and translate legal commitments to address violence against women into action that delivers accountability against perpetrators.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

Authorities across the region heavily repressed the rights of LGBTI people. Security forces arrested scores of individuals on the basis of their real or perceived sexual orientation or gender identity. In Tunisia, police arrested at least 78 men under a Penal Code provision that criminalizes “sodomy”, according to a local NGO; at least 70 were convicted and sentenced to up to a year in prison. In Kuwait, police arrested seven trans people and referred them for investigation. Eight LGBTI individuals were arbitrarily arrested or ill-treated by Palestinian security forces in the West Bank, according to a local NGO.

The authorities in some countries subjected some men to forced anal examinations to determine whether had engaged in same-sex sexual relations; dozens of such cases were recorded in Egypt and Tunisia. Such examinations violate the prohibition of torture and other ill-treatment.

Authorities must repeal provisions criminalizing same-sex sexual relations, scrap anal examinations and enact legislation prohibiting discrimination on the basis of sexual orientation or gender identity.
The authorities escalated repression of the rights to freedom of expression, association and assembly, including in their crackdown on online expression. They harassed, arbitrarily detained and prosecuted dozens of government critics, human rights defenders, members of the Shi’a minority and family members of activists. Shi’a activists and religious clerics remained on trial before a counter-terror court for expressing dissent. The authorities used the death penalty extensively, carrying out scores of executions for a range of crimes, including drug offences. Some people, most of them members of the country’s Shi’a minority, were executed following grossly unfair trials. The authorities implemented major reforms to the repressive male guardianship system, including allowing women to obtain passports, travel without the permission of a male guardian and become heads of households; however, women continued to face systematic discrimination in law and practice in other areas and remained inadequately protected against sexual and other violence. The authorities granted hundreds of thousands of foreign nationals the right to work and access to education and health care, but arrested and deported hundreds of thousands of irregular migrant workers, who were exposed to labour abuses and exploitation by employers and torture when in state custody. Discrimination against the Shi’a minority remained entrenched.

BACKGROUND
In December, Saudi Arabia assumed the presidency of the G20, the next meeting of which is due to be held in its capital, Riyadh, in November 2020. Before this, the authorities announced several reforms, including the introduction of tourist visas for citizens of 49 countries. In January, the organization called on the authorities to allow it and other independent monitors access to detained activists, including women human rights defenders, following allegations of torture, ill-treatment and sexual harassment of at least 10 detained activists. Amnesty International received no response. The UN Special Rapporteur on the human rights of migrants and the Special Rapporteur on the situation of human rights defenders sent reminders to the Saudi Arabian authorities for requests to visit the country in 2019. No response was reported.

Saudi Arabia remained a member of the coalition imposing economic and political sanctions on Qatar, along with Bahrain, Egypt and the United Arab Emirates (UAE).

Saudi Arabia continued to co-lead the coalition in neighbouring Yemen, a coalition that is implicated in war crimes and other serious violations of international law (see Yemen entry). In September, a drone attack for which Yemen’s Huthis claimed responsibility targeted facilities of the state-owned oil company Aramco in Abqaiq, Eastern Province and cut Saudi Arabia’s oil production by about half for several weeks.

FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY
The authorities escalated repression of the rights to freedom of expression, association and assembly, including in their crackdown on online expression. They harassed, arbitrarily detained and prosecuted government critics, human rights defenders, members of the Shi’a minority and family members of activists. In April, the authorities arbitrarily
arrested 14 individuals for their peaceful support of the women’s rights movement and women human rights defenders. Among them were Salah al-Haidar, the son of Aziza al-Yousef, who remained on trial for her women’s rights work; Abdullah al-Duhaikan, a journalist, novelist and advocate for Palestinian rights; and Fahad Abalkhair, who supported the Women to Drive Campaign. They remained in detention without charge or trial at the end of the year. In November, the authorities arbitrarily detained at least 10 men and women, including entrepreneurs, writers and intellectuals, for a week. Activists believe that the majority were released without charge.

The authorities continued to try individuals before the Specialized Criminal Court (SCC), a counter-terror court, on charges arising from the peaceful expression of views, in some cases on capital charges. Religious cleric Salman al-Awda, who had been arbitrarily detained since September 2017, remained at risk of the death penalty after the public prosecution called for his execution on charges related to, among other things, his alleged affiliation to the Muslim Brotherhood and his calls for government reforms and regime change in Arab countries.

The authorities did not permit the formation of political parties, trade unions or independent human rights groups, and continued to prosecute and imprison those who set up or participated in unlicensed human rights organizations. All gatherings, including peaceful demonstrations, remained prohibited under an order issued by the Ministry of Interior in 2011.

Human rights defenders

The authorities continued to arrest, prosecute and imprison human rights defenders for their peaceful activities and human rights work under, among other legislation, the counter-terrorism law and the cybercrime law, which criminalizes online criticism of government policies and practice as well as commentary on current affairs. By the end of the year, virtually all Saudi Arabian human rights defenders were in detention without charge, or were on trial or serving prison terms.

After more than a year in detention, 11 women activists, including human rights defenders Loujain al-Hathloul, Iman al-Nafjan, Aziza al-Yousef, were brought to trial before the Criminal Court in Riyadh in March 2019. Two other women human rights defenders, Samar Badawi and Nassima al-Sada, were brought to trial three months later, in June. The court sessions were closed and diplomats and journalists were banned from attending. Several women activists faced charges for contacting foreign media, other activists and international organizations, including Amnesty International. Some were also charged with “promoting women’s rights” and “calling for the end of the male guardianship system”. While eight of the 13 women activists were temporarily released in 2019, the five women human rights defenders among them remained in detention; all 13 remained on trial at the end of the year.

The authorities continued to arbitrarily detain human rights defenders for prolonged periods without bringing them before a judge or charging them. Mohammed al-Bajadi, a founding member of the Saudi Civil and Political Rights Association, remained held without charge or trial since his detention in May 2018.

In July, Mohammad al-Otaibi, already serving a 14-year prison sentence for his human rights work, was brought before the SCC for additional charges related to his communication with international organizations and attempt to seek political asylum in 2017. He remained on trial on the new charges at the end of 2019.

Government critics abroad

In October, on the first anniversary of the extrajudicial execution in the Saudi Arabian consulate in Istanbul of Saudi Arabian journalist Jamal Khashoggi, the Crown Prince stated that he bore full responsibility for the killing because “it happened under my watch”. In December, the Public Prosecution announced that eight individuals suspected of involvement in the murder had been convicted; five were sentenced to death and three to prison terms. The authorities permitted the attendance of diplomats throughout the trial, which began in January, but closed the trial to journalists and the broader public, failed to provide information on the proceedings and thereby prevented independent monitoring.

Saudi Arabia failed to co-operate with an inquiry by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions into the murder. The inquiry concluded in June that Jamal Khashoggi was the victim of a deliberate, premeditated extrajudicial killing for which Saudi Arabia was responsible. The Special Rapporteur found “credible evidence, warranting further investigation of high-level Saudi officials’ individual liability, including the Crown Prince’s”. The report also revealed abuses committed by the Saudi Arabian authorities or non-state actors associated with it against other dissidents abroad, abduction, enforced disappearance, threats, harassment and electronic surveillance, as well as psychological threats targeting the families of detained activists.

In November, two former employees of Twitter were charged by US federal prosecutors with spying for Saudi Arabia by accessing information on dissidents who used Twitter. Among those targeted was Omar Abdulaziz, a prominent Saudi Arabian dissident residing in Canada.

DEATH PENALTY

Courts continued to impose death sentences for a wide range of crimes and carried out scores of executions; there was an increase in executions for drug offences and terrorism-related crimes. The authorities generally failed to abide by international standards of fair trial and safeguards for defendants in capital cases. Such cases were often held in secret and their proceedings were summary with no legal assistance or representation for defendants, as well as no translation services for foreign nationals, through the various stages of detention and trial. Death sentences were regularly based on “confessions” that
defendants said were extracted under torture.

On 23 April, 37 Saudi Arabian men were executed. They had been convicted in various trials before the SCC. Most were Shi’a Muslims convicted after grossly unfair trials that relied on “confessions” tainted by torture allegations. Among the 37 were 11 convicted of spying for Iran. At least 15 others were convicted of violent offences related to their participation in anti-government demonstrations in the Shi’a-majority Eastern Province between 2011 and 2012. They were subjected to prolonged pre-trial detention and told the court that they were tortured or otherwise ill-treated during interrogation to make them “confess”. Among them was Abdulkareem al-Hawaj, a young Shi’a man who was arrested when aged 16.5

Those who remained at risk of execution at the end of the year included other individuals who were under the age of 18 at the time of their alleged offence. Some of these death sentences appeared to have been based solely on “confessions” that the defendants said were obtained through torture or other ill-treatment.

The authorities routinely failed to warn families of their relatives’ imminent execution or inform them immediately after the executions. Families of the Shi’a men executed on 23 April only found out that their loved ones had been executed when the authorities announced the news publicly on the same day. The authorities also failed to return the bodies of those executed to their families or inform them of the place of burial.

WOMEN’S RIGHTS

In August, in a positive and long-overdue development, the authorities announced major reforms to the discriminatory male guardianship system. Among other things, these allowed women aged over 21 to apply for and obtain a passport and travel without the permission of a male guardian; women aged over 18 to register the birth of a newborn child, the death of a relative and their own marriage or divorce, as well as to apply for and obtain a family record; and women to act as the head of a household. While the reforms brought the recognition of women’s rights in these areas into line with those of men and also eased major restrictions on women’s freedom of movement, they did not abolish the guardianship system.6 The reforms did not allow women to marry without the permission of a guardian or to provide consent for her children to marry. Women and girls continued to face systematic discrimination in law and in practice in other areas such as marriage, divorce, inheritance and the ability to pass on citizenship to their children.

Women and girls remained inadequately protected from sexual and other forms of violence. They continued to need a male guardian’s permission to leave shelters for those who had experienced domestic abuse.

In January, the Shura Council approved regulations for early marriage that prohibit marriage contracts for girls and boys under the age of 15. The draft regulations also stipulated that applications for a medical report to assess the maturity of individuals aged under 18 wishing to marry and for the marriage itself must be heard by a specialized court.

MIGRANTS’ RIGHTS

In October, the authorities announced that they had granted citizenship to more than 50,000 individuals and their families and had issued identity documents to more than 800,000 people who had moved to Saudi Arabia “following political, economic and social turmoil in their home countries”. The documents would enable the recipients to work and access education and health care. Saudi Arabia continue to deny asylum-seekers access to a fair refugee determination process.

Meanwhile, the authorities continued their crackdown on irregular migrants. In November, the Ministry of Interior announced that, in the previous two years, about 4.1 million people had been arrested and over 1 million deported in a campaign targeting migrants accused of violating residential, border security and labour regulations and laws. In 2019 alone, over 2 million foreign workers were arrested and 500,000 were deported.

The 11 million migrant workers living in Saudi Arabia continued to be governed by the kafala (sponsorship) system, which granted employers vast powers over them. They could not leave the country or change employment without the permission of their employers, increasing their vulnerability to labour abuses and exploitation. In many cases, migrant workers lost their legal status in the country after their employers failed to renew their residence permits or filed complaints that they had absconded.

According to a report by Human Rights Watch, Ethiopian migrant workers detained for labour law violations were tortured and otherwise ill-treated in detention facilities across the country; migrant workers said they had been beaten, denied food or water and chained together in overcrowded cells.

According to reports, over 900 Bangladeshi domestic migrant workers returned home from Saudi Arabia in 2019. Over 100 of them had been living in a shelter in Saudi Arabia after alleging that their employers had subjected them to physical, psychological and sexual abuse. Others said that they had been forced to work without pay.

DISCRIMINATION – SHI’A MINORITY

Shi’a Muslims continued to face discrimination because of their faith, limiting their right to express religious beliefs and access justice, as well as their right to work in a number of public sector professions and access state services.

A number of Shi’a activists accused of supporting or taking part in demonstrations in Eastern Province or expressing views critical of the government were prosecuted and imprisoned or faced the death penalty in ongoing trials. Others were executed following unfair trials in previous years.


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STATE-SPONSORED HOMOPHOBIA

GLOBAL LEGISLATION OVERVIEW UPDATE

December 2019

ilga.org
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ILGA Co-Secretaries General’ Foreword

By Tuisina Ymania Brown¹ and Luz Elena Aranda.²

As we prepare to start a new year — and a new decade — we are proud to present our member organisations and the general public with an update of the Global Legislation Overview of the State-Sponsored Homophobia report. This end-of-year update will help us keep up to date with the progress (and the backtracking) that we have seen take place around the world in terms of sexual orientation law since the launch of the latest edition of our report.

In the last few years we have seen unprecedented progress as a result of our advocacy work at the national, regional and global level. Never before had our communities achieved such level of legal protection in so many countries around the world and we have numerous reasons to celebrate and rejoice. In more than 70 countries “sexual orientation” has been explicitly enshrined in local regulations, national laws and constitutions to protect us from discrimination. Rainbow families are being recognized in an ever-increasing number of jurisdictions and a global tendency towards decriminalisation of consensual same-sex sexual acts has now been established.

However, this is a time when being complacent about our achievements is one of the worst mistakes we can ever make. The polarizing trends that are taking place at a global scale mean that while more and more of us have seen our rights legally recognized, more LGBTI people are also in greater danger of being discriminated, attacked, persecuted and even murdered. As we grow stronger, the opposition we have always encountered is now coupled and reinvigorated with a new wave of resistance from old and new detractors. Our achievements are being attacked and maliciously presented by anti-rights, right wing and conservative actors as threatening blows to society and as a disgrace to humankind as such. Sophisticated fear-mongering tactics are being used to present us as an obscure force aiming to use, recruit or indoctrinate children, as a conspiracy driven by an ideology that seeks to destroy the moral fabric of society. A menace that needs to be stopped. And even if these outlandish claims do not sound new to us (we survive them every single day of our lives), we are now --more than ever-- starting to see how their strategic use as a repetitive mantra in all corners of the world is gathering momentum.

As much as we would love to report about uncontested progress, we issue this update of the Global Legislation Overview of our State-Sponsored Homophobia report with an eerie feeling.

Soon after we launched the 13th edition of the report, Brunei shocked our communities — and the whole world — by enacting one of the most egregious pieces of legislation of the last few decades. Soon after, yet another African country joined the list of criminalising countries: Gabon. Another one has inexplicably defended and retained such laws (Kenya) and, in Asia and Africa, at least three other countries are currently considering criminalising bills which may soon see the light (Indonesia, Equatorial Guinea, and Egypt).

¹ Tuisina Ymania Brown is a survivor of 40 years of institutionalised discrimination and spousal gender-based violence, racial profiling, and trans violence and persecution. She lives her truth as a trans woman of colour from Polynesia, a human rights defender and a former corporate In-house Counsel. She practices in trademarks and intellectual property law and holds a Masters of Intellectual Property Law and a Master of Law. She has over 15 years of volunteer experience in international NGOs including: Astraea Lesbian Foundation for Justice (New York, International Advisory Board Member); Global Interfaith Network on Sex, Sexual Orientation, Gender Identity and Expression (Johannesburg, Treasurer and Co-Chair); International Trans Fund (New York, Co-Chair). Born and raised in Samoa, she currently lives as a single parent to two sons in Brisbane Australia

² Luz Elena Aranda is a Bisexual artist. She studied Dramatic Literature at UNAM and Ethnology at ENAH, in addition to a technical career in Production in Media and Communication at the Ansel Adams Photography School. She is the General Director of Las Reinas Chulas Cabaret and Human Rights AC and Director of the International Cabaret Festival. She has worked in different organizations, including ProDesarrollo, Finanzas and Microempresa (where she developed the theater component for the Methodology for the Incorporation of the Gender Approach in the Mexican Microfinance Institutions MEGIM), Faces and Voices FDS, AC (where she created the campaign against poverty Hook, I know, I act), and Oxfam Mexico, where she was a consultant for the project Building an integrated approach to inequality: Indigenous peoples, rural populations and women victims of violence in Mexico. She obtained the Leadership Scholarship from the MacArthur Foundation through the Mexican Society for Women’s Rights AC (SEMILLAS) and the recognition “Women investing in women” by the same institution. She is part of generation 54 of the Global Women in Management program: Advancing Women’s Economic Opportunities sponsored by CEDPA and EXXON MOBIL. Since 2014 he is a member of the ILGALAC Regional Council.
Europe and North America, two regions of the world that had shown clear signs of steady progress, are failing to keep up with that trend and show distressing signs of backtracking in the form of restrictive caselaw, relentless violence, fierce opposition to legal initiatives to protect our rights, so-called “licences” to discriminate based on religious beliefs, and unseen levels of hate speech that are making headlines. Decriminalisation efforts seemed to have gone wrong in Oceania and yet no criminalising country in the region seems to be taking clear steps to support our claims. In this context, we deeply regret having to report that since March 2019 more of us have been allegedly executed for whom we love, and effectively imprisoned or arrested under existing laws in several countries.

In any case, being aware of all these intense battlefronts does not make our accomplishments any less important. We are a resilient movement and we have always been thriving even in great adversity. Our siblings in Botswana gave us all an invaluable dose of hope when they managed to scrap the legal provisions that made us all criminals in that country. Our siblings in Taiwan further reinforced that feeling of joy when marriage equality became a reality for the first time in Asia thanks to their tireless work and after courageously surviving the heavy blow of a hateful referendum that was so devastating for the local community that even claimed the lives of some of our most valued youth. More countries now protect us from discrimination based on sexual orientation in their constitutions and have legal provisions against hate crimes and incitement to hatred, violence and discrimination. The challenge with these laws will now be fighting for their effective implementation.

Now, as more and more of us organise and take to the streets for our cause, as we file well-researched lawsuits before local and international courts and as we tenaciously advocate before national governments and international organisations, we are also committing to protect one another and to take more time for self-care and healing: a much needed priority in times of vicious backlash.

We enthusiastically look forward to what lies ahead, hoping for numerous opportunities for change and improvement, but we are also realistically aware that challenges are becoming more frequent and more demanding. This realisation, far from deterring us, will lead us to outdo ourselves and achieve even more. Because our lives are at stake.

To all those involved in the production of this update, our sincere appreciation.
Author’s Preface

By Lucas Ramón Mendos

ILGA World is now preparing for the start of a new decade: a new strategic plan, a renovated governing structure, and new board and staff members that are coming from all corners of the world to keep up the organisation’s work and further its global leadership role on SOGIESC issues.

In line with this, in 2018 ILGA World decided to open an in-house staff position to focus on research and set up a strategy on how to better assist our member organisations—and the whole world—in having access to key data to boost and improve our advocacy efforts globally. Since then, and as anticipated by our former Co-Secretaries General in their foreword of the 13th edition of State-Sponsored Homophobia, ILGA World’s research has entered a transition stage as we devote time and effort to rethink and redesign the way in which the information collected by ILGA World’s global office in Geneva is made available to the world.

In the last few years, information technologies have radically changed the way in which we access, produce and share information. Today, massive amounts of data are at the reach of a fingertip and have become easily available for a large portion of the world’s population. In the era of fake news and false claims against us, the real challenge lies in having access to reliable, evidence-based and up-to-date information. As our detractors become more sophisticated and aggressive in their attacks against our quest for equality, we need to develop more specific and versatile tools to better inform our efforts, our arguments and our strategies.

The development of these tools will take a considerable amount of time an effort from all our team. But because we know that many of us out there constantly need to track how the world is moving on these issues, while those new tools are being developed, ILGA World will keep updating the core sections of the State-Sponsored Homophobia report with a view towards producing more analytical research in the future.

We are very excited and looking forward to a very promising future and to all the fabulous opportunities that lie ahead in our way. It will not be simple, easy or free of difficulties, but we know it will be worth the effort.

About this update

This update to the Global Legislation Overview tracks the laws in force in all 193 UN Member States and other non-UN Member jurisdictions under four categories: criminalisation, restriction, protection and recognition.

The first category covers the provisions that criminalise consensual same-sex sexual intercourse or other kinds of same-sex sexual acts (usually captured under vague terms such as “indecency” or “immoral acts”). Under “Restriction”, we track the laws that represent legal barriers to freedom of expression on SOGI issues and freedom of association (registration or operation of sexual orientation related (SOR) civil society organisations).

Under “Protection”, the report lists countries under six categories related to protection from discrimination at different levels (constitutional protection, broad protection and employment

1 Lucas Ramón Mendos (he/him) is ILGA World’s Senior Research Officer. He is a lawyer, lecturer and researcher, specialized in international human rights law and sexual and gender diversity issues. He earned his LL.B. degree with a focus on international law from the University of Buenos Aires (UBA) and his LL.M. degree on sexuality and the law from the University of California in Los Angeles (UCLA).

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Gabriel Galil has assisted the team in reviewing certain sections of the report. We extend our gratitude for his time and readiness to help.

Daniele Paletta, ILGA World’s Senior Communications Officer, continued to provide the team with invaluable assistance. It is thanks to his hard work and commitment that the entire world gets to know about this report.

We are also particularly grateful for the updates and feedback we received from María von Känel, Philipp Braun, Nacho Esteban, Simón Perera and Caleb Orozco.

In November 2019, ILGA World published a call for feedback and contributions for this update. We warmly thank all of those who replied with comments, corrections, feedback and useful comments and information. Special thanks to:

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- Astrid Ramos (Red Lésbica Cattrachas, Honduras);
- Aych McArdle (ITANZ, New Zealand);
- Cai Wilkinson (Deakin University);
- Glenroy Murray (Equality Jamaica);
- Luis Eduardo Salazar Muñoz (Presidential Commissioner for LGBTI matters, Costa Rica);
- Olena Shevchenko (Insight NGO, Ukraine);
- Tamás Dombos (Hungarian LGBT Alliance);

Finally, under “Recognition”, we list countries under four categories: same-sex sex marriage, partnership recognition for same-sex couples, joint adoption by same-sex couples and second parent adoption by same-sex couples.

In the last section of the report, “The World at a Glance” we provide a reference chart that includes information on the laws in force in all 193 UN Member States and non-UN Member jurisdictions.
Sexual Orientation Law at the Doorsteps of a New Decade

By Lucas Ramón Mendos and Enrique López de la Peña.

The second decade of the twenty-first century is coming to an end and the world map of sexual orientation law is active and changing as it has ever been. As we look back on an intense year, we realise how the dynamics of progress and backtracking are becoming more complex and more nuanced, making it impossible to reduce the multiple dimensions of this subject to one single line of analysis.

In this article we will explore the most salient developments around sexual orientation issues that took place at a global scale in 2019. Our aim is to provide our readers with a snapshot of this year’s major victories, defeats and challenges in the hope that this outlook on the current state of things will be of use in our reflections and debates to face what lies ahead.

To this aim, we will follow the structure of the legal categories covered by ILGA World, namely criminalisation, restriction, protection and recognition.

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CRIMINALIZATION

Keeping up with the global trend to decriminalise

On 11 June 2019, the High Court of Botswana decriminalized consensual same-sex sexual acts. This highly expected decision was celebrated around the world as one of the major legal victories in our quest for equality in 2019.

The local human rights advocacy group Lesbians, Gays, and Bisexuals of Botswana (“LEGABIBO”) had been admitted as amicus curiae (“a friend of the court”) and thus became a key player in the judicial proceedings by presenting factual and legal evidence on how criminalisation perpetuates stigma, intolerance and violence against members of the LGBT community.

The unanimous decision handed down by judges Tafa, Meburu and Dube determined that the provisions that criminalised “carnal knowledge against the order of nature” were incompatible with the Constitution of Botswana and, more specifically, that they collided with its fundamental freedoms clause (Article 3), with the right to privacy (Article 9) and, most interestingly, with the non-discrimination clause (Article 15). In line with numerous precedents, the Court ruled that the term “sex” in this clause, should be “generously and purposively interpreted to include ‘sexual orientation’.”

In reaction to the ruling, the UN Independent Expert on SOGI stressed that decisions like this one show gay, lesbian, bisexual, trans and other gender-diverse people in Botswana that “they are in a country in which their dignity and integrity are valued and effectively protected under the rule of law.”

Good news also came from Hong Kong (China) when, after numerous litigation attempts, the High Court finally struck down and re-interpreted several provisions under the Crimes Ordinance that discriminatorily imposed higher penalties for offences committed by gay men.

Last, but not least, Canada equalised the age of consent for all kinds of sex when Bill C75 received royal assent, thereby eliminating a discriminatory provision on consent for anal sex that disproportionally affected non-heterosexual men.

By mid-year, encouraging news came from the Kingdom of Bhutan, where the National Assembly made a decisive step towards decriminalisation of consensual same-sex intimacy when it approved the Penal Code (Amendment) Bill by an overwhelming majority on June 10. The bill now needs to be approved by the upper house of Bhutan’s bicameral Parliament (the National Council) before it comes into force.

Appeals lurking on the horizon

The enthusiasm and joy that the decision in Botswana brought about was partly shadowed by the fact that the Government decided to appeal the decision shortly after. This appeal means that the provisions that were struck down by the High Court might be reinstated if the appellate decision turns out to be negative.

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STATE-SPONSORED HOMOPHOBIA (Update) - 2019
In at least two other cases, decisions that have decriminalised consensual same-sex sexual acts between adults have been appealed either by the State or by the Roman Catholic Church: Trinidad and Tobago and Belize. The former is a case that may even reach the Privy Council (with a potential impact on numerous Commonwealth countries); in the latter, the limited appeal filed by the State does not have the potential to reinstate the criminalising provisions. However, the Roman Catholic Church is still appealing to question the whole content of the decision.15

The Roman Catholic Church has appealed the judicial decision that decriminalised consensual same-sex sexual acts in Belize

Decriminalisation efforts continue to be among the priorities of numerous ILGA member organisations in many parts of the world, but strategies and decisions as to how and when to question criminalising laws vary greatly according to region. Local organisations continue to strategise, discuss and advocate for change relying on their own expertise but also gathering internationally to share and exchange experiences on how victories were achieved in different part of the globe.

In 2019, lawsuits were filed in the Caribbean island nation of Dominica16 and in the African island nation of Mauritius.17

In the same line, in November 2019, the Eastern Caribbean Alliance for Diversity and Equality (ECADE) announced the launch of a set of five legal challenges to criminalising laws in Barbados, Saint Kitts and Nevis, Antigua and Barbuda, Grenada, and Saint Lucia.18

In Singapore, another lawsuit has been brought before local courts, adding to other pre-existing legal challenges that are currently being heard by Singaporean courts.19

The excitement and hope generated by the Supreme Court of India decision in Navtej still lingers with us.20 Not only did this decision reduce considerably the number of people living under criminalising laws,21 but it also created momentum to discuss further change, as in India there is still no national law to protect people from discrimination based on sexual orientation.

On the road to the wrong side of history

For the last ten years, ILGA only had to report on countries repealing laws that criminalise consensual sexual conduct. In fact, the last edition in which we had to regretfully report that a country had decided to contravene international human rights standards to make consensual same-sex acts a criminal conduct was in 2010, after Burundi enacted a Penal Code criminalising "sexual relations with someone of the same sex".22

In March 2019 we had to report again that Chad had gone down the same lamentable path, enacting a new Penal Code with a specific provision for consensual same-sex acts.23

Most worryingly, we now have to report that yet another country has followed suit. On July 5, 2019, Gabon adopted a new Penal Code that criminalizes consensual same-sex sexual relations,24 thus becoming the latest case of legal regression in this regard. Earlier this year, African activists Julie Makuala Di Baku and Jean Paul Enama had reported that arrests for "moral attacks" based only on the form of dressing "translating sexual orientation" were taking place in Gabon, even before this law was enacted,25 so now there is even less hope for improvement in the short run.

Gabon adopted a new Penal Code that criminalizes consensual same-sex sexual relations

Besides Gabon’s entry into the list of criminalizing countries, one of the most disturbing news our communities learnt this year came from Brunei. In early April, the sultanate officially announced the enactment of its Syariah Penal Code, which, among other worrying aspects, imposes the death penalty by stoning for consensual same-sex sexual acts.26

The uproar caused by this Code prompted government officials to state that they would extend the existing moratorium on the death penalty to the newly enacted Criminal Code.27 Even though this announcement alleviated the extreme nature of the measure to a certain extent, this law is still in place and in full force, hence, there is no reassurance of non-enforcement given by any official that will relax our state of alert. Needless to say, such statements do not in any way counter or alter the abhorrent social message that a law like this sends out to the local community and to the whole world.
In one of the most lamentable events of the year, in May 2019, the High Court of Kenya upheld the country’s law criminalizing consensual same-sex sexual activity. In the aftermath of this major blow to local LGBT communities, the Government of Kenya issued a grim statement in response to a UNAIDS press release condemning this decision, declaring that the court’s decision must be respected, as it is an effective method to contain the country’s HIV epidemic, and that UNAIDS’ language is “unbecoming of a United Nations organization.”

Last, but not least, no major development seemed to have taken place with regard to decriminalisation in Oceania. In November 2019, an attempt to decriminalize same-sex sexual activity in the Cook Islands was u-turned, reportedly due to pressure from local churches.

More criminalising bills under discussion

Our communities are in state of alert and extremely concerned by the information coming from several other countries in which criminalising laws have been introduced and are being discussed in local legislatures.

Even though in Egypt consensual same-sex sexual acts are already heavily prosecuted and penalised under a number of laws forbidding “debauchery” and “scandalous acts”, a draft law that would make such acts officially punishable by a minimum prison sentence of 7 years has advanced to the Parliament’s Legislative and Constitutional Committee. While there are no updates on this bill as of December 2019, Egyptian authorities have continued arresting several people for consensual sexual activity with people of the same sex, deemed “sexual perversion” (see section below).

Secondly, in the aftermath of Gabon’s enactment of its new Penal Code, it was reported that the neighbouring Equatorial Guinea was in the process of preparing a draft bill that would also criminalize consensual same-sex sexual activity. Thirdly, a draft Penal Code introduced in Indonesia would be easily used to prosecute people on the grounds of their sexual orientation.

In Uganda, news about the possibility of the reintroduction of the bill that would, among other things, impose the death penalty for “aggravated homosexuality” (popularly known as the “kill the gays” bill) stirred anxiety both at the local level and internationally. Earlier this year, the Parliament of Uganda informed that a group of so-called “ex-gays” had petitioned the Speaker of Parliament, Rebecca Kadaga, saying that they thought the bill “would help create awareness about sexual orientation”. A few months later, the Ugandan Minister of Ethics and Integrity, Simon Lokodo, reportedly declared that there were plans to reintroduce the bill, as several MPs gave favourable opinions, expressing the need for such law. However, the plans to reinstate the bill were subsequently denied by the government.

In response to this situation, Sexual Minorities Uganda (SMUG) issued a statement and a clarion call specifically addressed to the local LGBTQI+ community and to local and international allies.

Equatorial Guinea is in the process of preparing a draft bill that would also criminalize consensual same-sex sexual activity

For its part, the European Parliament issued a resolution expressing grave concern and urged the government to stand by the statement made by President Museveni’s spokesperson.

Furthermore, SMUG’s statement and media sources coincide on the ostensible raise of violence and hostility against sexual and gender diversity in the country, including instances of brutal killings and mob attacks.

Criminalisation in armed or security forces

In parallel to criminal provisions that apply to the population at large, in many countries, armed and security forces still have internal regulations that punish consensual same-sex intimacy or establish harsher penalties for same-sex sexual interaction when sanctions are imposed on all kinds of sexual activity.

ILGA World does not yet systematically compile these discriminatory provisions, but different sources have brought a few of these provisions to our attention.

For instance, since 1998, same-sex sexual activity has been banned in the military in the Bolivarian Republic of Venezuela under Article 565 of the Military Justice Code, which proscribes “sexual acts against the order of nature”.

In South Korea, a provision amended as recently as 2013, still punishes consensual anal sex with two years’ imprisonment with labour. In July 2019, Amnesty International launched a report documenting the existence of these laws and the abuse and harassment they legitimise and urged the government of South Korea to repeal all of these discriminatory provisions still in force.
In India, LGBT people are banned from serving in the military, although not explicitly. Following the 377 decision, several high-ranking members of the army resented the Supreme Court decision, and a bill that would explicitly allow LGBT people to openly serve in the military was introduced to the Indian Parliament in December 2018. In response, the National Police spokesperson said that the decision was justified on the basis of religion and morality.

In Indonesia, a 29-year-old police officer lodged a challenge against his dismissal from the National Police on the basis of discrimination against his sexual orientation. In response, the National Police spokesperson said that the decision was justified on the basis of religion and morality.

Anything but dormant laws

It is not uncommon for government to argue that laws that criminalise consensual same-sex sexual acts are only dormant regulations that are not actually enforced. However, in 2019 ILGA was able to collect information from almost 20 countries where the State has either arrested, charged, prosecuted, sentenced, jailed and even executed individuals for crimes or allegations consisting of, or related to, consensual same-sex sexual activity. If we add to this list the number of countries in which ILGA was able to track instances of enforcement in 2018, the total rises to more than 35 UN Member States.

The following paragraphs recapitulate the extremely limited information that ILGA World was able to collect on how several UN Member States are still actively using the law and the apparatus of the State to criminalise consenting adults because of their sexual orientation. In these reports, it becomes apparent how the affronts to dignity and equality posed by the mere existence of these laws are coupled with abuse, humiliation and violence when they are actively enforced. In fact, these instances of enforcement constitute a legitimised way of translating social prejudice into destructive violence with the complicity of the law.

As a major caveat, we need to clearly state that we are aware that what we compile in this section is only the tip of the iceberg: with the only exception of the official information published by the Kingdom of Morocco, the cases that we report are only those that made it to media reports or came to the knowledge of organisations or activists who document these violations.

An even greater number of these instances of enforcement regularly fly under the radar and go unaccounted for several reasons. In many countries, especially in non-urban settings, the reach of the media can be almost non-existent or the interest in reporting on these issues can be marginal. Judicial systems can also be extremely opaque in many countries, and clear information on legal proceedings can be extremely difficult to access.

Due process—and even the rule of law—are highly compromised in certain parts of the world and in several countries large parts of the territory are not controlled by the central government: under these circumstances, it is almost impossible to keep track of enforcement instances.

Instances of enforcement constitute a legitimised way of translating social prejudice into destructive violence with the complicity of the law

Linguistic issues may also complicate accurate reporting as, in many countries, news reports tend to refer to consensual same-sex activity between adults using unclear, disparaging or ambiguous terms. In other contexts, when these laws are enforced, it is common practice that no formal proceedings are actually initiated and, therefore, no official record is kept. In fact, testimonies show that law enforcement agents tend to use these laws as tools to blackmail or extort victims without practising a formal arrest, let alone informing judicial authorities.

Additionally, victims rarely have the possibility to denounce arrests or unfair proceedings, out of fear of reprisals or suffering the stigma of being associated with homosexuality. Family honour codes also contribute to their almost non-existent possibilities of seeking redress.

Enforcement today

In April 2019, media reports indicated that a mass execution carried out in Saudi Arabia included 5 men who had been convicted of “homosexual acts” after they were allegedly coerced to confess. The country also arrested a gay man for posting a photo wearing shorts on social media, as well as two men for kissing in public. Shortly after, a national promo video labelled homosexuality as a form of “extremism.”

Furthermore, reports indicate that a well-known gay Kurdish singer was charged for "spreading corruption on earth" and could face execution in Iran. In June, when Iran’s Foreign Minister was asked about the execution of homosexuals in his country he simply responded: “Our society has moral principles. And we live according to these principles.”
principles. These are moral principles concerning the behaviour of people in general. And that means that the law is respected, and the law is obeyed.” In September, an openly gay journalist from Argentina who was visiting on holidays was arrested and denied entry in the country after being asked about this sexual orientation.56

Official records published by the government of Morocco show that a striking number of 170 individuals were charged with “homosexuality” in 2018.57

In Egypt, reports indicate that several men have been arrested for alleged “homosexual acts” during 2019.58 In January, Egyptian TV presenter Mohammed al-Ghaiti was found guilty of “contempt of religion” and “incitement to debauchery” and sentenced to one year in prison for interviewing a gay man on his TV show.59 In March 2019, Egyptian authorities arrested Malak al-Kashif, a female transgender activist, who was subjected to forced anal examinations and kept in a prison for male inmates.60

Convictions on the grounds of sodomy in Tunisia have reportedly been on the rise.61 In early 2019, media outlets reported that a 23-year-old Tunisian man who had been raped was subjected to a judicial forced anal examination upon reporting the crime. However, he was eventually sentenced to six months in prison on charges of “homosexual conduct”.62 Shams, the country’s leading LGBT organization, sent a letter to Tunisia’s Head of Government asking for the young man’s acquittal.63 According to All Out, the Court of Appeals upheld the conviction in May, but lawyers managed to have him released on parole shortly after.64

In late-November, the Lusaka High Court in Zambia affirmed a 15-year prison sentence imposed on two gay men for having consensual sex.65 The couple had been found guilty for “acts against the order of nature” by a lower court in August 2018 after being reported to the police by an employee of the hotel where they were staying. Forced anal examinations were conducted on the accused as an evidentiary requirement.66 A few days after the decision was published, the Young African Leaders initiative (YALI) expressed that the couple had been given “leniency” by the sentencing judge, “who administered the minimum sentence of 15 years when he could have opted for the maximum life imprisonment” as allowed by Zambian laws in force.67

In Senegal, a man was sentenced to six months in prison for consensual sex with another man in late 2018. He was arrested and sentenced after a video showing him having sex with another man went viral in Dakar. The woman who filmed them without their knowledge, and then shared the video, was sentenced to 2 years (3 months effective) for distribution of content against morality.68 LGBTI group Arc-en-Ciel Senegal pointed out that the “hunt” for sexual minorities in the country had increased considerably in late 2018.69

Similarly, two men were reported to the police by their family members in Sierra Leone, after being caught having sex in their house. The couple was able to escape and managed to leave the country before they were arrested. As of November 2019, their location is uncertain.70

In November 2019, the Nigerian police arrested two women rumoured to be in a couple in the city of Edo and declared a “war” on lesbians.71 In the lack of protective laws, LGBT people in the country are harassed and humiliated with total impunity.72

In August 2019, donors and activists joined forces to achieve the early release of a gay man who was serving a three-year sentence for homosexuality in Cameroon.73

A Court in Zambia affirmed a 15-year prison sentence imposed on two gay men for having consensual sex

In September, 3 gay men were arrested in Kenya for consensual same-sex acts.74 In April, following calls from local residents and religious figures, State authorities issued a warning and vowed to prosecute the allegedly growing number of individuals engaging in public displays of affection (PDA) with people of their same sex in the town of Juja, Kiambu County.75

In the weeks following the announcement that harsher legislation would be revived in Uganda (see subsection above for more details), 16 men were arrested on suspicion of homosexuality.76 In November 2019, 125 people were arrested and 67 imprisoned for “nuisance” in a bar, but rights activists said it was a bid to intimidate the LGBT community. Local reports indicated that detainees were brutally thrown into patrol cars, beaten and dragged, and kept locked in inhumane conditions.77 The Ugandan police reportedly performed at least 16 forced anal examinations among those who remained in detention.78

In Malaysia, five men were jailed for “attempting intercourse against the order of nature”, and four of them were subsequently caned.79 In November, two Vietnamese men, aged 22 and 29, pleaded guilty and were consequently fined by a local Court for “immoral activities” in a hotel room in Penang, Malaysia. The couple had been arrested by the
State Immigration Department several days before.80

In Turkmenistan, a 24-year-old doctor, Kasymberdy Garayev, disappeared for several days after he was summoned to a police station in Ashgabat on October 24.81 According to reports, he was summoned after he shared his experience as a gay man with a local media outlet, hoping that by telling his story he could help others in Turkmenistan who were in a similar situation.82 During the interview, he also explained how he had been entrapped by an undercover police officer in 2018: after corresponding with him online he was arrested upon meeting with him at a public place, taken to a police station, humiliated and tortured.83 Even though he had used a pseudonym for the interview, he was located by Turkmen authorities a few days later, after the security service launched a search in the health sector in Ashgabat. In response to his disappearance, Amnesty International issued a call for urgent action.84 Garayev finally reappeared a few days later and retracted from all of his previous statements.85 The Turkmen authorities then demanded all medical personnel to get tested for STIs, after deeming Garayev as immoral and a dishonour to the medical profession.86

Chechnya – the plight goes on

In May 2019, Human Rights Watch issued an updated report on the critical situation in Chechnya.87 At least 23 gay men are said to have been arrested by the local police and being subjected to abuse, electroshock torture, and even rape.88 Since the beginning of the region’s crackdown on the LGBT community in 2017, over 70 people have found refuge in Canada and Western Europe.89

Also since then, unknown people identifying as Chechen police officers have been regularly contacting activists of the Russian LGBT Network and uttering death threats, ostensibly due to the organisation’s work with Chechen LGBT survivors. Notably, on May 17, seven unknown people (three of them Chechens) broke into the apartment of one of the volunteers working with the organisation. Four of the men said they were police officers but refused to identify themselves.90 The men were apparently looking for the Emergency Help Program coordinator, who had been a vital element in the escape of several survivors of the persecution in Chechnya. In May 2019, the case of a survivor was brought before the European Court of Human Rights.91

Restriction

Criminalisation of consensual same-sex sexual acts is by no means the only legal tool that hostile States embrace. State-sponsored prejudice against sexual diversity can also take the form of illegitimate barriers to certain human rights based on provisions of law. These barriers — either explicit or otherwise — not only constitute effective obstacles for the exercise of rights today, but they also severely curtail any prospect of change for the future, as they usually attack three key rights that are instrumental to any advocacy activity: the right to freedom of expression, freedom of peaceful assembly and freedom of association.92 In 2019, numerous states have enacted new legal barriers while others have continued to enforce existing ones. The following is only an enumeration of the main instances of restriction of rights that ILGA World could identify throughout the year.

Attacks against organisations

In March 2019, ILGA World found that at least 41 UN Member States have introduced or interpreted legal provisions to restrict the possibilities of registering or running NGOs that work on sexual orientation issues.93 The justification for these restrictions is usually on the basis that these organisations’ activities are “illegal”, “immoral” or “against public interest”. On top of these legal impediments, several States have continued to actively ban or question the activities of organisations.

All LGBTQ-related activities were banned by the Palestinian Authority in the West Bank

In August, all LGBTQ-related activities were banned by the Palestinian Authority in the West Bank.94 As reported by alQaws, a local LGBT organisation, the spokesperson for the PA police issued a statement declaring that they prohibited any event organised or held by alQaws for gender and sexual diversity in Palestine, on the basis that they go against “traditional Palestinian values”, and accused the organisation of being “foreign agents”. Furthermore, the police called on citizens to report any “suspicious” activities.95 Soon after the statement was released, persecution and threats increased considerably.96
The Tunisian government has continued to oppose the right to association of LGBT people, especially after Shams, a local LGBT organisation, received a favourable judicial decision. In January 2019, the head of State litigation argued that “the concept of sexual minorities that Shams adopts is illegal and contrary to our religious dictates and our society’s Arabic and Islamic culture.”97 This was the government’s seventh attempt to disband the human rights organisation.98 On May 20, the Tunis Court of Appeal ruled in favour of Shams.99

In September, a court in Russia ordered the disbandment of the Russian LGBT Network and the Russian LGBT Community because their posts on social media “deny family values, propagate non-traditional sexual relations and cause disrespect to parents and other family members.” The Russian LGBT Network announced their intention to appeal to the St. Petersburg City Court.100

In Tanzania, the shrinking of the civil society space has continued to impact groups working on LGBTQ issues, including police raids of meetings and workshops, arrests of participants, and the destruction and confiscation of property.101 In the same line, media reports indicate that in November 2019, the Ugandan government shut down 73% of the country’s NGOs whose work was allegedly “not in line with the current administration’s values”. Among the organisations whose work was terminated were NGOs working on LGBTQ issues.102

In Zambia, a Member of Parliament raised a motion to ban all political parties supporting LGBT rights in the country. Even though the initiative appeared to be politically motivated, the discussion in Parliament led to crossed accusations which included extremely hostile speeches demonising sexual and gender diversity.103

Restriction of parades and events

Restrictions imposed by governments on the right to peaceful assembly not only hinder advocacy and visibility efforts but they also legitimate social prejudice against sexual and gender diversity. These barriers deny our right to gather, to come together, to demonstrate and to empower our communities.

In Ankara, Turkey, LGBTQ public events have been banned since November 2017.104 In April 2019, the 12th Administrative Court lifted this ban,105 but in November, 19 activists were charged with “participating in unlawful assembly” after attending a Pride march at the Middle East Technical University campus.106 The case was adjourned to 12 March 2020, but the defendants face up to 3 years in prison if convicted.107 In Istanbul, the frequency and violence of similar attempts to disband LGBT events have also increased. On June 30, police fired tear gas at attendants of Istanbul Pride, which was being held in defiance of authorities after being banned for the fifth year in a row.108 In August, the Turkish police, armed with water cannons and riot vehicles, forced the cancellation of the “Queer Olympix” LGBTQ sports festival in Istanbul moments before it was set to begin.109 Pride marches were also banned in the southern province of Mersin,110 as well as in the cities of Antalya and Izmir, by their respective governors.111 In the latter city, a court suspended the ban a few days later,112 but this did not stop police from intervening in the march and detaining 17 to 20 people.113

In September 2018, General Security officers attempted to unlawfully shut down a conference on gender and sexuality in Lebanon and took names of all conference participants from the hotel registry, including those from countries with severely hostile anti-LGBT legislation.114 Human Rights Watch raised a complaint before UN human rights officials, but in August 2019, the organisation reported that participants of the conference had been banned from re-entering Lebanon. General Security justified its decision on grounds of “state security” and “protecting society from imported vices” that “disrupt the security and stability of society.”115

The local police, armed with water cannons and riot vehicles, forced the cancellation of an LGBTQ sports festival in Istanbul

In October, after a long battle, the organisers of Montego Bay Pride in Jamaica were granted permission to host a forum at the Montego Bay Cultural Centre.116 However, their permission was ultimately revoked by a local court and the event could not be held.117

In Russia, a theatre festival was banned for promoting “hatred against men and non-traditional family relations” under the law that prohibits “gay propaganda”.118 In August, at least 11 LGBT activists were detained at an unauthorised Pride event in Saint Petersburg.119

In late September, the Mayor of the Hernandarias district, Paraguay, signed a resolution banning an LGBT pride parade in his jurisdiction.120 Amnesty International filed an unconstitutionality action against the aforementioned resolution before Paraguay’s Supreme Court of Justice.121

In May, several people were arrested in Cuba for holding a pride march in Havana that had not been
authorised by the government. A few days prior, the Organising Committee of the twelfth edition of the Cuban Conferences against Homophobia and Transphobia announced that Cuban Conga against Homophobia and Transphobia would not be held in 2019. While Cenesex explained that there were indications that foreign organisations were planning to use the Conga to oppose the Cuban government, speculations on the unexpected change in the program referred to an increasing influence of the Catholic and Evangelical churches in the country’s politics.

On occasion, hostile countries cancel events or ban the entry of people whose presence in the country would allegedly “undermine local values”. For instance, in October, the government of Kuwait cancelled a performance by a Korean pop band based on rumours that the band’s members were gay, thus going against Kuwait’s alleged morals and values. In Zambia, openly gay South African media personality Somizi Mhlongo was banned from attending an event in Lusaka because he could “tear the country apart” and undermine its morals.

Attacks on freedom of expression

Effective enjoyment of the right to freedom of expression — including both the possibility of disseminating and having access to ideas — is a fundamental requirement to advocate for change, to share critical ideas and to debunk myths, stereotypes and preconceptions, among many other elements that are key components of our strategies. In 2019, numerous governments continued to enforce restrictive laws and policies that impaired or obstructed the possibilities of openly speaking or sharing unbiased information about sexual orientation issues.

An Iranian activist was prosecuted and charged with “collusion against national security by normalising same-sex relations”

In Russia, more activists have been charged under Federal Law No 135-FZ, commonly known as “anti-gay propaganda law”. In July, Alexander Yubors was charged with spreading “homosexuality propaganda among minors” after participating in a series of activities focused on the rights of LGBT people. In September, the Ural State University of Economics (USUE) reportedly threatened a student with expulsion after his pink phone case and membership in pro-LGBT social media groups fuelled suspicions about his alleged sexual orientation.

In February, Iranian activist Rezvaneh Mohammadi was prosecuted and charged with “collusion against national security by normalising same-sex relations”. As 6Rang reports, she was interrogated for 26 days and later transferred to a women’s ward. This appears to be the first time that an activist faces such an accusation in Iran with the possibility of being sentenced to up to five years imprisonment.

In February, the Ministry of Religious Affairs and National Guidance of Zambia ordered the cancellation of a television programme for allegedly “promoting homosexuality”. Justifying the measure, Minister Godfridah Sumaili stated: “Our stand as a Christian nation is clear and the laws of the land speak louder.”

In Brazil, national and local authorities ordered the cancellation and terminated the funding of a number of artistic displays and materials (such as films, books, seminars, performances, and television series) addressing LGBT-related topics. In Rio de Janeiro, the mayor censored the display and sale of a comic book containing a same-sex romance on the pretence of the “protection of the children”. The Supreme Court considered the mayor’s act discriminatory and ordered its suspension. President Jair Bolsonaro declared that these actions did not constitute censorship, but were merely an attempt to “preserve (Brazil’s) Christian values”, and described funding for LGBT-related screenplays as “throwing money away”. Right after his statement a funding procedure for four LGBT-related movies was suspended.

On October 7, 2019, the Federal Justice of Rio de Janeiro, determined that the government had acted in a discriminatory way and ordered Ancine (the National Audiovisual Agency) to resume its call for the production of LGBT-related public television content. However, the government could appeal this decision.

In numerous countries, films with references to same-sex relations were censored. The British-American film “Rocketman”, based on the life of Sir Elton John, was completely banned or heavily cut at least in Samoa, Russia, Malaysia, Egypt, and the Cook Islands. Responding to questions from a media outlet, the Ministry of Justice and Courts Administration Principal Censor of Samoa explained that the film contained “acts that are not good for public viewing, and against the law”.

In China, it was reported that the film “Bohemian Rhapsody” would only be released after scenes of same-sex couples kissing were removed from the film. Only a few days earlier, Mango TV, a local
TV streaming service, had reportedly substituted the phrase “gay man” with “special group” in its subtitles of actor Rami Malek’s speech at the Academy Awards Ceremony. In Indonesia, several films and other artistic materials with LGBT-related content have also been censored under the argument that “they could damage the morale of Indonesia’s young generation”. In June 2019, the head of Indonesia’s National Population and Family Planning Agency (BKKBN) referred to homosexuality as “a disease” and labelled LGBTI citizens the “main enemy of national development”.

**PROTECTION**

During 2019 more laws against discrimination based on sexual orientation were enacted in some UN Member States.

**Constitutional protection**

In most countries around the world, the level of protection granted by a constitutional clause is usually the highest possible. This is so because constitutions are regularly set at the summit of the normative hierarchy, meaning that the entire legal framework of a country should abide by it. In other words, no law or regulation can contravene what is written in the constitution. However, it should be noted that the inclusion of an antidiscrimination clause in the Constitution explicitly including “sexual orientation” does not automatically translate into full equality.

For example, prohibitions of incitement to hatred or violence, legal protections for same-sex unions or adoption rights will require the enactment of specific laws providing for those particular rights. In any case, advocating for those laws when there is a constitutional clause prohibiting discrimination based on sexual orientation should, in principle, be considerably easier.

The list of countries that have explicitly included protection against discrimination based on sexual orientation in their constitutions now includes Cuba and San Marino, raising the total number to 11 UN Member States.

In early 2019, Cuba went through a legislative process by which the constitution was heavily reformed. Among the new provisions is an antidiscrimination clause that explicitly forbids discrimination based on sexual orientation.

Likewise, San Marino made a constitutional amendment to include sexual orientation among the prohibited grounds of discrimination.

**Protections against discrimination**

A total of 57 UN Member States have laws that protect people from discrimination based on sexual orientation in the provision of goods and services, education, health and employment.

In late 2018, the Federated States of Micronesia amended Section 107 of its penal code to forbid the enactment of any law that is discriminatory towards LGBT people.

In Kosovo —where constitutional protection has existed since 2008— the new Penal Code enacted this year makes it a crime for anyone to deny or restrict any of the rights defined by the Constitution, the law or any other provisions based on their sexual orientation (among other grounds).

North Macedonia enacted the Law on Prevention of and Protection against Discrimination, which offers broad protections against discrimination on the grounds of sexual orientation.

The list of countries that have explicitly included protection against discrimination based on sexual orientation in their constitutions now includes Cuba and San Marino.

Adding to the protection afforded by the constitution and other laws, in September, the Portuguese Parliament passed Law No. 83/2019, which forbids discrimination on the basis of sexual orientation in housing.

As we reported earlier this year, in January 2019 Angola made considerable progress on legal protections against discrimination. The Penal Code that repealed the provisions that criminalised consensual same-sex sexual acts included broad protections against discrimination.

In the United States of America —where protections against discrimination vary greatly in each state—the Supreme Court announced it would discuss and deliberate whether LGBT employees are protected by currently existing federal employment discrimination laws. Meanwhile, the governors of Kansas and Ohio signed executive orders to protect LGBT state employees from discrimination within their respective jurisdictions. Indeed, as of October 2019, half of LGBT adults in the USA lived in states
(29 in total) where no legal protection against employment discrimination existed.154

Protection from so-called “conversion therapies”

A number of subnational level bills banning so-called “conversion therapies” were enacted throughout 2019, notably in the United States of America.

In effect, this harmful practice was effectively outlawed in the states of Colorado, Maine, Massachusetts, and New York, as well as in Puerto Rico. Furthermore, on August 2, Gov. Roy Cooper signed an executive order to forbid public funding for “conversion therapy” for minors in North Carolina.155 The state of Utah, USA, is set to approve a bill to ban “conversion therapy” in January 2020.156 Similar bills are pending or soon to be introduced in Canada (federal),157 France,158 Germany,159 and Poland,160 among others.

In late November, a bill that would have punished performers of “conversion therapy” with up to three years in prison was initially approved by the State Congress of Jalisco in Mexico.161 However, discussion of this bill was adjourned until January 2020 due to pressure from socially conservative groups.162

Brazil: Court battles against the ban on “conversion therapies”

Brazil was the first UN Member State to enact a nationwide ban by means of a resolution issued by the Federal Council of Psychology (known for its acronym in Portuguese as “CFP”).163

The CFP resolution faced resistance from the moment it was issued in 1999, especially from the Organisation of Christian Psychologists and Psychiatrists (locally known as CPPC - Corpo de Psicólogos e Psiquiatras Cristãos) known for their pathologizing views on “healing homosexuality”.164

In one of the rare instances of enforcement, in 2009, the CFP punished Rozângela Alves Justino, a Christian psychologist, with public censure. Since then, Justino has led several lawsuits at the local and federal level in repeated attempts to have Resolution 1/99 repealed or partially invalidated. Additionally, as she continued to offer conversion therapies, the CFP finally revoked her license in 2017. Later on, Justino became an adviser for MP Sóstenes Cavalcante (DEM-RJ) in the Federal Chamber of Deputies.165

As a result of an actio popularis filed by Justino in the Federal District, two conflicting judicial decisions were issued in 2017 by a federal judge, questioninng the interpretation of the ban and opening the door for psychologists to offer confidential “sexual reorientation”.166

In 2019, a member of the Supreme Federal Tribunal (STF) issued an interim decision to suspend the effects of the lower federal magistrate, thereby reinstating the ban in full force.167 The case is still pending before the Supreme Federal Tribunal.

Backtracking in protection?

Despite this encouraging news, unsettling information came from countries in which legal safeguards are already in place: Switzerland and South Korea.

Article 8 of the Swiss Constitution includes the expression “way of life” as a prohibited ground of discrimination. Even though this expression had been largely interpreted as encompassing “sexual orientation”, in 2019 the Swiss Federal Court issued a judgment saying the Equality Act does not include “homosexual persons” and, therefore, there would not exist protection against discrimination based on sexual orientation.168

In November 2019, members of the South Korean National Assembly proposed an amendment to the National Human Rights Commission Act (one of the few laws explicitly mentioning “sexual orientation”) to eliminate the term “sexual orientation” as a protected ground against discrimination. The bill would also restrict the definition of “gender” to gender assigned at birth. Amnesty International labelled this initiative “a shameful amendment”.169

RECOGNITION

Same-sex marriage

In 2019, more jurisdictions legalised same-sex marriage, both by means of judicial decisions or laws enacted by local legislatures.

Taiwan’s same-sex marriage victory was one of the most celebrated achievements in 2019

On May 24, 2017, the Constitutional Court of Taiwan issued Judicial Yuan Interpretation No. 748, which asserted that the Civil Code’s clauses pertaining to marriage were unconstitutional and gave the Parliament two years to grant marriage rights to same-sex couples. Despite this constitutional interpretation, Christian groups in Taiwan were able to garner enough support to conduct a referendum on November 24, 2018, for
Taiwanese voters to either accept or reject marriage equality, *inter alia*.170 With roughly 3 million people voting in favour of same-sex marriage and 7 million people voting against it,171 the referendum was unfavourable for LGBT people, causing severe mental health issues, such as suicidal ideation, to a significant number of members of the Taiwanese LGBT community.172 Notwithstanding the negative precedent set by the referendum, a draft bill to enforce Judicial Yuan Interpretation No. 748 was approved by the Executive Yuan on May 17, 2019.173 After its due process, same-sex marriage in Taiwan thus became legal on May 24. Taiwan’s victory was one of the most celebrated achievements in 2019, especially after the negative outcome of the 2018 referendum, and raised hopes for further progress in the region.

In Ecuador, following the publication of two Constitutional Court rulings from June in the official gazette, same-sex marriage became legal on July 8.174 The decision in Ecuador largely follows the standards set by the Advisory Opinion issued by the Inter-American Court of Human Rights, adding yet another victory to its legacy.

The decision in Ecuador largely follows the standards set by the Advisory Opinion issued by the Inter-American Court of Human Rights, adding yet another victory to its legacy

Throughout 2019, same-sex marriage was also legalised in several states of Mexico (Baja California Sur, Hidalgo, Nuevo León, Oaxaca, and San Luis Potosí).175

On the other side of the Atlantic, on October 21, legislation came into force requiring Northern Ireland to legalise same-sex marriage.176 In January 2020, Northern Ireland will become the last constituent country of the United Kingdom to extend marriage to same-sex couples. On March 29, same-sex marriage in the Cayman Islands (an autonomous British Overseas Territory in the western Caribbean Sea) was legalised, in line with a call for action by the House of Commons Foreign Affairs Committee for all British Overseas Territories (OT) to do so.177 However, this legalisation was reversed after a government appeal in November.178

On a similar note, the city of Yokohama in Japan began issuing certificates recognising same-sex partnerships on December 2.179

**Assisted Reproduction**

In October 2019, the French National Assembly approved in vitro fertilization (IVF) for lesbian couples and single women. Nonetheless, this initiative is yet to receive approval at the Senate, which is set to debate the issue in January 2020.180 Conversely, in June 2019, the Constitutional Court of Italy ruled that assisted fertilization was not a right for same-sex couples and may be legally refused.181

**Our Families are Not Welcome Here**

In contrast to the progress achieved in several parts of the world in terms of protections for our families, some countries are moving in the opposite direction.

In July, Russia’s Investigative Committee launched a criminal case against officials who allowed a man cohabiting with another man to adopt children in 2010. The incident began when one of the man’s two adopted boys, 12 years old, was taken to a Moscow hospital with a stomachache and a doctor called the police after the boy mentioned that he was living with two fathers.182

In May 2019, the Zimbabwe Cabinet approved a bill to ban same-sex marriages, in line with the national Constitution.183

Likewise, on October 17, the National Assembly of Panama approved a constitutional amendment that defines marriage exclusively as the union between one man and one woman.184 This led to heated protests by LGBT activists in the country, and while there are no further legal updates as of December 2019, the Panamanian President has declared that his government will petition to revoke the discriminatory articles within the constitutional amendment.185

In Mexico, the state congresses of Sinaloa (in June), Yucatán (in July), Zacatecas (in August), and Puebla (in October) rejected proposals to amend their local legislation to allow same-sex couples to marry, despite the fact that the National Supreme Court of Justice considers same-sex marriage bans unconstitutional.186

In the same month, the Minister of Home Affairs and Immigration of Namibia declared that Namibia would remain firm in its non-recognition of same-sex marriages, in spite of a recent decision to grant a permanent residence permit to a South African woman married to a Namibian woman.187
In August, following the legalization of same-sex marriage in Taiwan, and despite pressure from activists, a spokesperson of the Chinese Parliament declared that the People's Republic of China would remain firm in its limitation of marriage to a man and a woman. Similarly, in October, Hong Kong's Court of First Instance ruled against a lesbian activist that had challenged the city's ban on same-sex unions.

UN Eyes set on the Venezuelan Crisis

The UN High Commissioner for Human Rights has been paying special attention to the ongoing crisis in Venezuela. In a recent report, she indicated that, even though key economic indicators began to decline dramatically well before 2017, the economic and social situation continued to rapidly deteriorate in 2019, limiting the enjoyment of economic and social rights of millions of people. In this context, hyperinflation is affecting the ability to purchase basic foods, medicine, and other essential goods.

The UN High Commissioner has also expressed concern about recent actions taken to pass a law that criminalizes activities of domestic human rights organizations that receive funds from abroad. She stressed that "this law, if passed and applied, would further reduce the democratic space".

Among the most serious consequences of the ongoing crisis, especially for LGBTI people, is the current lack of access to all types of contraceptives, with several cities facing a 100% shortage, increasing the risk of contracting HIV. In this regard, UNAIDS has indicated that HIV treatment coverage "has plummeted" in Venezuela and people living with HIV are emigrating to other countries to seek access to HIV treatment and other health-related care.

In light of the scale of the migration process triggered by the crisis, the Regional Inter-Agency Coordination Platform was established pursuant to the request by the UN Secretary-General to UNHCR and IOM in 2018. In fact, the exodus of Venezuelan nationals is already the largest in the modern history of Latin America: it is estimated that there will be 5.3 million refugees and migrants from Venezuela by the end of December 2019. The Platform has identified LGBTI people among those exposed to higher risks of being victims of sexual assault, trafficking networks for sexual exploitation and survival sex, as well as HIV/AIDS, other sexually transmitted infections and ostracism by family and communities. Additionally, this massive emigration phenomenon has generated a sensitive reduction of the number of LGBTI activists involved in advocacy in the country.

In June 2019, civil society organisations from all over the region reacted to this complex situation by creating the First Regional Network for the Protection of LGBTI + Refugees, asylum seekers and migrants from Latin America and the Caribbean.

In 2016, during its second cycle UPR, the State of Venezuela admitted that protecting the rights of Venezuelans of diverse sexual orientation and gender identity was still a "major challenge". Several UN Treaty Bodies, including the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child, had previously warned about the lack of comprehensive legislation protecting people based on their sexual orientation and gender identity and urged the State to take action in this regard. Despite this, no laws have been enacted since then.
Notes & Sources

1. Lucas Ramón Mendos is ILGA World’s Senior Research Officer.
2. Enrique López de la Peña is ILGA World’s current Research Intern. He earned his Bachelor of Arts in Political Science, with a minor in Linguistics and Arabic, from New York University Abu Dhabi in May 2019. In 2017, he served as the International Press Manager for TLF Festival (the Tel Aviv International LGBT Film Festival). He has conducted research on areas such as political psychology, international conflict resolution and prevention, diversity, interculturalism, and LGBTQ rights. His undergraduate thesis project, titled “Perspective Taking to Reduce Implicit Homophobic Behaviour in Mexico”, was a survey experiment aiming to discover whether fostering empathy towards LGBTQ people among Mexican adults could increase their displays of solidarity towards the LGBTQ community.


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5. “LM v Attorney General of Botswana: Challenging Criminalisation of Same-sex Sexual Relationships: Fact Sheet”, Southern Africa Litigation Centre (website); See also: Kitty Grant and Anneke Meerskotter, “The law needs to change, we want to be free”: The impact of laws criminalising same-sex relationships in Botswans (United Nations Development Programme, Southern Africa Litigation Centre & Lesbians, Gays and Bisexuals of Botswana, 2018).

6. With regard to the provisions criminalising “indecency” (Section 167) the Court held that it was unconstitutional “to the extent that it applied to acts committed in private” and therefore decided to sever the word ‘private’ from the provision.


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29. Brunei had been phasing in its Syariah Penal Code Order (SPC Order 2013) since 2014. In March 2018, the Criminal Procedures Code on Syariah was approved by the Brunei Islamic Religious Council and the head of state. For more information, see: ILGA World: Lucas Ramon Mendos, State-Sponsored Homophobia 2019 (Geneva: ILGA, March 2019), 437. See also: Yvette Tan, "Brunei implements stoning to death under anti-LGBT laws", BBC News, 3 April 2019.

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SEXUAL ORIENTATION LAW AT THE DOORSTEPS OF A NEW DECADE

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36- "Ex-gays want anti-homosexuality law enacted", Parliament of Uganda, 28 May 2019. MP Rebecca Kadaga has reiterated her support for the reintroduction of the bill several times in the past: "Speaker Rebecca Kadaga Reiterates Call For Anti-Homosexuality Bill", Sexual Minorities Uganda, 3 July 2017.
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GLOBAL LEGISLATION OVERVIEW

RESTRICTION

STATE-SPONSORED HOMOPHOBIA (UPDATE) 2019
<table>
<thead>
<tr>
<th>No.</th>
<th>Country</th>
<th>Year</th>
<th>Legal Provision</th>
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<tr>
<td>11</td>
<td>Qatar</td>
<td>2004</td>
<td>Article 296 (3)-(4) of the Penal Code (2004) states, “One is convicted to no less than a year and no more than three years in prison in case of (3) Leading, instigating or seducing a male anyhow for sodomy or immorality and (4) Inducing or seducing a male or a female anyhow to commit illegal or immoral actions”. In 2018, it was reported that LGB-content were censored in international newspapers.45</td>
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<tr>
<td>12</td>
<td>Saudi Arabia</td>
<td>2007</td>
<td>Article 6 of the Anti-Cyber Crime Law (2007) prohibits the production, publication and promotion of online content or webpages that the government deems to be pornographic or in violation of religious values or public morals or order. For instance, in January 2018, Saudi police arrested a group of men who had uploaded a video of a “gay wedding”.46</td>
</tr>
<tr>
<td>13</td>
<td>Singapore</td>
<td>2016</td>
<td>The Info-communications Media Development Authority promulgated a series of Codes of Practices for broadcast media, radio, films and the internet, all of which prohibit the positive portrayal or advocacy of homosexuality and lesbianism. The authorities may also censor the media or impose age restrictions based on these regulations and have done so many times.47</td>
</tr>
<tr>
<td>14</td>
<td>Syria</td>
<td>1948</td>
<td>Article 208 of the Syrian Penal Code prohibits offensive public utterances in writing, graphics, images, etc. Prior to the civil war, it was reported that films on LGBT content were censored.48</td>
</tr>
<tr>
<td>15</td>
<td>United Arab Emirates</td>
<td>2003</td>
<td>Article 3(5)(4) of Law on Combating Cybercrimes (Law No. 5 of 2012) criminalises the condoning, provoking or promoting of sin through the computer network or any information technology means or a website. The Telecommunications Regulatory Authority also blocks websites that ”promote destructive principles such as homosexuality” as part of its Internet Access Management Regulatory Policy. In 2018, the Knowledge and Human Development Authority of the Dubai Government banned a textbook used in a private international school for “violating the religious and traditional norms in the UAE” because it featured a family with two mothers.49</td>
</tr>
</tbody>
</table>

45 Nick Duffy, "Qatar is censoring LGBT news coverage ahead of 2022 World Cup", Pink News, 21 July 2018.
49 "Dubai Bans Private School Book on Homosexual Parents”, Albawaba The Loop, 9 October 2018.
Responding to an official announcement and a promotional video published by Saudi Arabia’s state security agency which categorizes feminism, homosexuality and atheism as “extremist ideas,” Heba Morayef, Amnesty International’s Middle East and North Africa Director, said:

“The Saudi state security agency’s announcement which labels feminism, atheism and homosexuality as extremist ideas punishable by jail and flogging is outrageous – clearly contradicting the Kingdom’s bogus reformist image which Crown Prince Mohammed bin Salman continues to flaunt internationally.

“Feminism, atheism and homosexuality are not criminal acts. This announcement is extremely dangerous and has serious implications for the rights to freedom of expression, and life, liberty and security in the country.”
for the rights to freedom of expression and life, liberty and security in the country. It peels away the veneer of progress under Mohammed bin Salman and reveals the Kingdom’s true intolerant face which criminalizes people’s identities, as well as progressive and reformist thoughts and ideas at home.

“International silence in the face of the imprisonment of dozens of peaceful Saudi dissidents for their expression is also alarming. Key allies such as the U.S., UK and EU must pressure the Kingdom and highlight the urgent need to protect freedom of expression in the country starting with the release of imprisoned human rights defenders and anyone detained for their peaceful expression.”

**Background:**

Atheism is illegal and is punishable by death in Saudi Arabia. While punishments for same sex relations are not codified under the law in Saudi Arabia, they are strictly prohibited under Shari’a (Islamic law) which Saudi Arabia draws from for its legal framework.

Recent reforms of the male guardianship system and other laws which discriminated against women – such as the lifting of a ban on female drivers – are a testament to the tireless work of feminists and long-standing activist voices who are now locked up or who continue to be prosecuted in the country.

Since May 2018, 13 women activists, including Loujain al-Hathloul, Samar Badawi and Naseema al-Sada who remain in detention, have been on trial for their human rights activism and their work to promote women’s rights. Fourteen other writers, activists and family members
of women’s rights activists remain in detention without trial since April 2019. Many of them are supporters of the women’s rights movement.
Tab 20
STATE-SPONSORED HOMOPHOBIA

2019
13th Edition

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Suggested citation:


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STATE-SPONSORED HOMOPHOBIA

2019
13th Edition

LUCAS RAMÓN MENDOS
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SAUDI ARABIA

Provisions in force

There is no codified Penal Law in Saudi Arabia. However, the country applies strict Islamic Sharia law. According to the Sura 7:80/81, sexual intercourse between men is outlawed. All sexual relations outside of marriage are illegal and the penalty for a married man is generally understood to be death by stoning.

There is a morality law enforcement agency called the “Committee for the Propagation of Virtue and the Prevention of Vice” that arrests and detains people who violate the traditional teachings of Wahhabism, including same-sex sexual behaviour and diverse gender expression.¹ They operate in-person and online, and are known to be particularly vicious towards LGBT people.²


Legal barrier to freedom of expression

Article 6.

Any person who commits one of the following cybercrimes shall be subject to imprisonment for a period not exceeding five years and a fine not exceeding three million riyals or to either punishment:

1. Production, preparation, transmission, or storage of material impinging on public order, religious values, public morals, and privacy, through the information network or computers; [...]  

2. The preparation, publication, and promotion of material for pornographic or gambling sites which violates public morals.

Human rights situation

There are no LGBT groups or organisations operating in Saudi Arabia, and opportunities for people to meet have been severely restricted. LGBT people are also persecuted for their identities.¹ In 2010, a gay Saudi diplomat sought asylum in the US after he was discovered to be gay and friends with a Jewish woman.² In November 2014, a man was sentenced to three years in jail and fined for engaging in “immoral acts”. He had posted nude pictures of himself on social media and sought to arrange to have sex with other men.³ Authorities in Saudi Arabia arrested several people on “suspicion of homosexuality” in raids on two parties in the city of Jeddah in June 2015.⁴ In January 2016, four men were also allegedly arrested for living as “married couples” together in a flat.⁵ In March 2016, it is reported that a doctor in Jeddah was arrested by the Committee for Promotion of Virtue and the Prevention of Vice for flying the rainbow flag, although he had been unaware of its meaning.⁶ Also in March 2016, from Jeddah, ominous attention has been brought to online communications amongst sexual and gender

⁴ Alexandra Zavis, “Gay Saudi diplomat seeking asylum says ‘they will kill me openly’”, Los Angeles Times, 15 September 2010.
minorities. However, in May 2016, regarding the death penalty for same sex sexual relations, a leading cleric noted, “[b]y condemning homosexuals to death they are committing a graver sin than homosexuality itself.”

The Saudi authorities raided a resort south of Saudi capital, Riyadh in February 2017, and detained 35 Pakistani citizens, describing them as "faggots", and releasing photographs of some of the individuals who were cross-dressing. It is reported that two members of the group were brutally killed by the authorities, a claim that the State denies.

In January 2018, police arrested several young men who were allegedly involved in a "gay wedding". video filmed and posted online. In March 2018, a gay teenager allegedly committed suicide after his father had threatened to kill him for coming out as gay to his family.

**International advocacy and supervision**

**Universal Periodic Review**

Most notably, Saudi Arabia has never received recommendations on SOGIESC issues in any of its 3 UPR cycles.

**Treaty Bodies**

In 2016, the Committee of the Rights of the Child (CRC) noted that LGBT children are subject to persistent discrimination and urged the State to combat such discrimination.

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8 “Senior Saudi Cleric: Homosexuality Should Not Be Punished”, Middle East Eye, 3 May 2016.
17 Operative Paragraph 2 was an attempt by the Africa Group to defer consideration and action on HRC Resolution 32/2 under the pretext that further consultations were needed to determine the legal basis upon which the IE SOGI would operate on. For more information, see: Out Right, ISHR, ILGA and ARC International, Defending the independent expert on protection against violence and discrimination based on sexual orientation and gender identity at the 71st Session of the United Nations General Assembly (2017), 4.
Tab 21
Saudi Arabia

Events of 2017

Saudi-led coalition aircraft struck three apartment buildings in Sanaa on August 25, 2017, killing at least 16 civilians, including seven children, and wounding another 17, including eight children. After an international outcry, the coalition admitted to carrying out the attack, but provided no details on the coalition members involved in the attack.

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On June 21, King Salman removed Mohammed bin Nayef as interior minister and crown prince, and appointed his son, Mohammed bin Salman, as the new crown prince. Mohammed bin Salman also serves as
Minister of Defense. The succession move followed the removal of the country’s notorious prosecution service from the Interior Ministry and its transformation into an agency reporting directly to the royal court. In addition, in July King Salman removed the domestic intelligence agency and counterterrorism powers from the Interior Ministry and merged them into the newly-created Presidency of State Security, which reports directly to the royal court. In September, the King decreed that women will be allowed to drive from June 2018, ending a long-standing ban.

Through 2017, the Saudi-led coalition continued a military campaign against the Houthi rebel group and their former allies, forces loyal to now-deceased former president Ali Abdullah Saleh in Yemen, that included scores of unlawful airstrikes that killed and wounded thousands of civilians. On June 5, Saudi Arabia, Bahrain, and the UAE cut off diplomatic relations with Qatar and ordered the expulsion of Qatari citizens and the return of their citizens from Qatar.

Saudi authorities continued their arbitrary arrests, trials, and convictions of peaceful dissidents. Dozens of human rights defenders and activists continued to serve long prison sentences for criticizing authorities or advocating political and rights reforms. Authorities continued to discriminate against women and religious minorities.
Yemen Airstrikes and Blockade

As the leader of the nine-nation coalition that began military operations against Houthi-Saleh forces in Yemen on March 26, 2015, Saudi Arabia has committed numerous violations of international humanitarian law. As of November, at least 5,295 civilians had been killed and 8,873 wounded, according to the UN human rights office, although the actual civilian casualty count is likely much higher. In 2017, the Office of the High Commissioner for Human Rights (OHCHR) reported that airstrikes remained the single largest cause of civilian casualties.

Since March 2015, Human Rights Watch has documented 87 apparently unlawful attacks by the coalition, some of which may amount to war crimes, killing nearly 1,000 civilians and hitting homes, markets, hospitals, schools, and mosques. The coalition carried out six apparently unlawful airstrikes in Yemen between June and September 2017, that killed 33 children among 55 civilian deaths. Human Rights Watch also documented how the Saudi-led coalition repeatedly attacked civilian factories, warehouses, and other protected sites in violation of the laws of war.

Human Rights Watch documented at least 18 coalition attacks using cluster munitions, which killed or wounded dozens of civilians. Saudi Arabia is not a party to the Convention on Cluster Munitions, which bans the weapon. In December 2016, the coalition announced it would stop using a British-made cluster munition, but in 2017 Human Rights watch documented the coalition’s use of Brazilian-made cluster munitions.
The conflict exacerbated an existing humanitarian crisis. By 2017, an estimated 17 million Yemenis were unable to meet their food needs, according to the United Nations. The conflict also precipitated an unprecedented cholera outbreak, which by September had killed 2,000 people and was suspected to have infected up to 700,000. The war has largely destroyed Yemen’s health system.

By December, the Saudi-led coalition had announced findings of preliminary investigations into some 40 widely publicized coalition airstrikes causing civilian casualties. The coalition-appointed panel of investigators found that in almost every case the coalition was pursuing a legitimate military target and recommended compensation for victims in only a few attacks. Human Rights Watch is unaware of any steps to pay compensation to victims of these attacks or prosecute individuals who committed war crimes.

In September, the UN Human Rights Council established an international, independent body to carry out comprehensive investigations into abuses in Yemen.

** Freedoms of Expression, Association, and Belief

Beginning on September 10, Saudi authorities carried out a wave of arrests of clerics and others in what appeared to be a coordinated crackdown on dissent.

country’s notorious Specialized Criminal Court, the country’s counterterrorism tribunal, on charges solely related to their human rights work. Saudi Arabia continues to use 2014 counterterrorism regulations to suppress political expression and dissent.

Over a dozen prominent activists convicted on charges arising from their peaceful activities were serving long prison sentences. Prominent activist Waleed Abu al-Khair continued to serve a 15-year sentence imposed by Saudi Arabia’s Specialized Criminal Court that convicted him in 2014 on charges stemming solely from his peaceful criticism in media interviews and on social media of human rights abuses. Prominent blogger Raif Badawi served the fourth year of his 10-year sentence, but authorities did not flog him in 2016 and 2017, as they previously did in January 2015.

On January 18, Saudi Arabia’s Specialized Criminal Court sentenced Nadhir al-Majid to seven years in prison and a seven-year ban on travel abroad. The conviction was based on his participation in protests in Saudi Arabia’s Eastern Province in 2011 against discrimination against the country’s minority Shia community, communication with international media and human rights organizations, and articles calling for an end to discrimination against the Shia.

By 2017 Saudi Arabia had jailed nearly all the founders of the banned Saudi Civil and Political Rights Association (ACPRA). In August, an appeals court upheld an eight-year sentence against ACPRA activist Abd al-Aziz al-Shubaily based solely on his peaceful pro-reform advocacy.

Saudi Arabia does not tolerate public worship by adherents of religions other than Islam and systematically discriminates against Muslim religious minorities, notably Twelver Shia and Ismailis, including in public education, the justice system, religious freedom, and employment.
Government-affiliated religious authorities continued to disparage Shia and Sufi interpretations, versions, and understandings of Islam in public statements and documents.

Saudi Arabia has no written laws concerning sexual orientation or gender identity, but judges use principles of uncodified Islamic law to sanction people suspected of committing sexual relations outside marriage, including adultery, extramarital and homosexual sex. If individuals are engaging in such relationships online, judges and prosecutors utilize vague provisions of the country’s anti-cybercrime law that criminalize online activity impinging on “public order, religious values, public morals, and privacy.”

In February 2017, Saudi police arrested 35 Pakistani citizens, some of whom were transgender women. One of them died in detention. Her family said her body bore signs of torture, while the Saudi authorities said she had died of a heart attack.

**Criminal Justice**

Saudi Arabia applies Sharia (Islamic law) as its national law. There is no formal penal code, but the government has passed some laws and regulations that subject certain broadly-defined offenses to criminal penalties. In the absence of a written penal code or narrowly-worded regulations, however, judges and prosecutors can convict people on a wide range of offenses under broad, catch-all charges such as “breaking allegiance with the ruler” or “trying to distort the reputation of the kingdom.”

Detainees, including children, commonly face systematic violations of due process and fair trial rights, including arbitrary arrest. Authorities do not
always inform suspects of the crime with which they are charged, or allow them access to supporting evidence, sometimes even after trial sessions have begun. Authorities generally do not allow lawyers to assist suspects during interrogation and sometimes impede them from examining witnesses and presenting evidence at trial.

Judges routinely sentence defendants to floggings of hundreds of lashes. Children can be tried for capital crimes and sentenced as adults if there are physical signs of puberty.

During 2017, authorities continued to detain arrested suspects for months, even years, without judicial review or prosecution. In mid-September, Saudi authorities arrested dozens of people, including prominent clerics and intellectuals, in what appeared to be a coordinated crackdown on dissent. On November 4, Saudi authorities initiated a mass arrest of princes, current and former government officials, and prominent businessmen over corruption allegations, some of whom are reportedly held in a five-star hotel in Riyadh.

As of November, Ali al-Nimr, Dawoud al-Marhoun, Abdullah al-Zaher and Abdulkareem al-Hawaj remained on death row for allegedly committing protest-related crimes while they were children in 2011 and 2012. Saudi judges based the capital convictions primarily on confessions that the defendants retracted in court and said had been coerced, and the courts did not investigate the allegations that the confessions were obtained by torture.

In mid-July, Saudi Arabia’s Supreme Court upheld death sentences against fourteen members of the Saudi Shia community following an unfair trial for protest-related crimes. Courts convicted the 14 based on confessions they had repudiated in court, saying that they were coerced. In July, an
appeals court upheld death sentences against another 15 men accused of spying for Iran. The verdict now requires approval by the Supreme Court and the king’s signature.

In late July, Saudi security forces surrounded and sealed off the predominantly Shia town of Awamiya as they confronted an armed group hiding in a historic neighborhood slated for demolition. The violence in Awamiya, which began in May, resulted in deaths and injuries among the residents and caused significant damage to the town. Residents and activists said that security forces had fired at civilians in areas far from the clashes, and residents that remained in Awamiya lacked essential services such as medical care. A majority of residents fled the clashes.

According to Interior Ministry statements, Saudi Arabia executed 138 persons between January and early December, mostly for murder and drug crimes. Fifty-seven of those executed were convicted for non-violent drug crimes. Most executions are carried out by beheading, sometimes in public.

**Women’s and Girls’ Rights**

Women in Saudi Arabia face formal and informal barriers when attempting to make decisions or take action without the presence or consent of a male relative.

In April, King Salman issued an order stipulating that government agencies cannot deny women access to government services simply because they do not have a male guardian’s consent unless existing regulations require it. If adequately enforced, the order could end arbitrary guardian consent requirements that government bureaucracies impose on women. Under the order, all government agencies were required to
provide a list by mid-July of procedures that require male guardian approval, suggesting that authorities might review these rules and regulations and even eliminate some.

Nevertheless, Saudi Arabia’s discriminatory male guardianship system remains intact despite government pledges to abolish it. Under this system, adult women must obtain permission from a male guardian—usually a husband, father, brother, or son—to travel abroad, obtain a passport, marry, or be discharged from prison. They may be required to provide guardian consent to work or access healthcare. Women regularly face difficulty conducting a range of transactions without a male relative, from renting an apartment to filing legal claims.

In July, authorities briefly detained a woman named “Khulood” after a Snapchat video appeared showing her wearing a short skirt and top, which revealed her partial midriff as she walked through the Heritage Village of Ushayqir, 100 miles north of Riyadh. Saudi Arabia maintains a strict public dress code – women must wear a loose black garment called an abaya and headscarf.

In September, the King decreed that women will be allowed to drive from June 2018. However, a ministerial committee is to make “the necessary arrangements to implement it” in 30 days. Reuters reported that the Saudi ambassador to the United States, Prince Khalid bin Salman, stated that women would not require their guardian’s permission to obtain a license and would be permitted to drive without their guardian present. However, it is unclear if other restrictive rules will apply. Previous proposals to end the driving ban have included restrictions such as limiting driving licenses to women age 30 and over or allowing driving only during daylight hours.

Saudi Arabia continues to discriminate against women and girls by
denying them the same opportunities to exercise and play sports as men and boys. In a positive step forward, however, Saudi Arabia’s Education Ministry announced in July that Saudi girls’ schools will offer a physical education program beginning in the fall 2017 school term “in accordance with Islamic law standards” and would scale up “according to the possibilities available in each school,” including sports halls and competent women instructors. No public girls’ schools currently have sports facilities, and the statement did not say whether physical education will be mandatory for girls, or if schools will require girls to get parental permission to enroll in physical education classes. In October, authorities announced that they would permit women to attend public sporting events for the first time.

**Migrant Workers**

Over 9 million migrant workers fill manual, clerical, and service jobs, constituting more than half the workforce. Some suffer abuses and exploitation, sometimes amounting to conditions of forced labor.

The *kafala* (visa sponsorship) system ties migrant workers’ residency permits to “sponsoring” employers, whose written consent is required for workers to change employers or leave the country under normal circumstances. Some employers confiscate passports, withhold wages, and force migrants to work against their will. Saudi Arabia also imposes an exit visa requirement, forcing migrant workers to obtain permission from their employer to leave the country. Workers who leave their employer without their consent can be charged with “absconding” and face imprisonment and deportation. Such a system traps many workers in abusive conditions and punishes victims who flee abuse.

In March, Saudi Arabia announced plans to deport foreign workers found
in violation of existing labor laws, including those without valid residency or work permits, or those found working for an employer other than their legal sponsor. Authorities ordered that undocumented migrants must register their intention to leave with the Saudi authorities by August 24 or face detention, fines, and eventual deportation. Of the estimated 10 million migrant workers in Saudi Arabia, up to 500,000 are Ethiopian, a significant number of whom arrived after fleeing serious Ethiopian government abuses.

Saudi Arabia is not a party to the 1951 Refugee Convention and has not established an asylum system whereby people who fear being returned to places where their lives or freedom would be threatened may apply for asylum or to prevent their forced return.

Domestic workers, predominantly women, faced a range of abuses including overwork, forced confinement, non-payment of wages, food deprivation, and psychological, physical, and sexual abuse without the authorities holding their employers to account. Workers who attempted to report employer abuses sometimes faced prosecution based on counterclaims of theft, “black magic,” or “sorcery.”

**Key International Actors**

The United States offered only muted criticism of Saudi human rights violations. Meanwhile, as a party to the armed conflict in Yemen, the US provided logistical and intelligence support to Saudi-led coalition forces, including refueling coalition planes on missions in Yemen. During a visit to Riyadh in May, President Trump announced US$110 billion worth of arms deals to Saudi Arabia, despite significant opposition from members of Congress concerned about Saudi conduct in Yemen. In June, a US Senate vote over the sale of about $500 million in precision-guided
munitions to Saudi Arabia passed by a narrow margin, 53-47.

In April, United Nations member states elected Saudi Arabia to serve on the UN Commission on the Status of Women, a body “dedicated to the promotion of gender equality and the empowerment of women,” despite its record of longterm, systematic discrimination against women. In May, UNESCO, the UN’s educational, scientific, and cultural agency, held its 7th International Forum of NGOs in Riyadh, even though Saudi Arabia does not allow independent nongovernmental organizations (NGOs) or activists to function and puts advocates of human rights in jail. In June, Saudi Arabia was elected as a deputy member of the governing body of the International Labour Organization (ILO), even though unions are not permitted in Saudi Arabia and abuses against migrant workers remain widespread. Despite its bad human rights record at home and abroad, Saudi Arabia is currently serving its second term as a member of the UN Human Rights Council.

In September, the UN Human Rights Council set up by consensus a Group of Eminent Experts to conduct international investigations into violations and abuses in Yemen. In October, the UN Secretary General placed the Saudi-led coalition on his “list of shame” for violations against children in Yemen.
Tab 22
Yemeni Blogger Gets Prison Time and Deportation for Pro-LGBTQ+ Post

[http://twitter.com/TheAdvocateMag](http://twitter.com/TheAdvocateMag)
[https://instagram.com/theadvocatemag](https://instagram.com/theadvocatemag)
[http://theadvocatemag.tumblr.com](http://theadvocatemag.tumblr.com)
[https://www.youtube.com/channel/UCyoWeR3FrNb8p2WIAqYmAUw](https://www.youtube.com/channel/UCyoWeR3FrNb8p2WIAqYmAUw)
[//signup](//signup)
Mohamad al-Bokari had fled Yemen for Saudi Arabia after his life was threatened.

BY DAVID ARTAVIA (/AUTHORS/DAVID-ARTAVIA)
JULY 28 2020 2:17 PM EDT

A Saudi court has sentenced a Yemeni blogger to 10 months in prison, a fine equivalent to $2,700, and deportation to Yemen for a social media post supporting LGBTQ+ rights in Saudi Arabia, according to
Mohamad al-Bokari, 29, was arrested in April for posting a video calling for equal rights. He had fled Yemen in June 2019 after his life was threatened by armed groups and individuals and has since been living in Riyadh, Saudi Arabia, as an undocumented migrant.
القبض على شاب يمني من قبل شرطة الرياض ظهر بعدة مقاطع بحديث يخالف القيم والعادات والقانون. #تم_القبض
Before al-Bokari’s trial, at which he was provided no legal representation, he was held in solitary confinement for six weeks in a cell with no windows or air-conditioning.

After his sentencing, he was placed in a shared cell with other inmates where he was verbally abused and called a “devil worshipper” who deserved the “death penalty,” according to a source at HRW. Officers also gave him a forced anal exam to seek “proof” that he was queer.

Al-Bokari was charged with violating public morality by promoting homosexuality online, and “imitating women.”

His health declined rapidly after his sentencing. After being transferred to a hospital, al-Bokari, who suffers from a chronic heart condition, was given an electrocardiogram, a test that detects acute coronary injury. He was allegedly released without hearing the results of the test, and according to the HRW source, doctors denied that he had a heart condition and denied him medication altogether even though he was "on the verge of collapsing."

The source added the court claimed al-Bokari “confessed that he fled Yemen because he was ‘imitating women.’” However, HRW obtained evidence of the threats on his life via phone communications and social media messages.

Saudi Arabia has no written laws around sexual orientation or gender identity, but judges and courts often use an interpretation of Islamic law to punish people who commit what they consider “immoral” acts.
In cases like al-Bokari’s, HRW adds, judges and prosecutors often utilize the country’s anti-cybercrime law that criminalizes activity that infringes on “public order, religious values, public morals, and privacy.”

The Arab Charter on Human Rights, of which Saudi Arabia is part, guarantees the right to freedom of opinion and expression in article 32.

“Saudi Arabia’s public relations campaigns tout the kingdom’s ‘progress,’ but the court’s jail sentence for peaceful speech and then deportation to Yemen where the defendant’s life is at risk shows how hollow these claims are,” said Rasha Younes, an LGBTQ+ rights researcher at Human Rights Watch. “Saudi Arabia should match rhetoric with reality and drop the case and the deportation against al-Bokari immediately.”

**TAGS:** WORLD (/WORLD), HATE CRIMES (/HATE-CRIMES)
Tab 23
A gay social media star from Saudi Arabia says he is facing prison for posting a photo of himself wearing short shorts at the beach

Bill Bostock  Oct 14, 2019, 6:50 AM

Saudi social media personality Suhail al-Jameel during a makeup tutorial on his YouTube page.  📹📱
A gay social media personality from Saudi Arabia says he is facing prison for posting a picture of him wearing short shorts at the beach caught the attention of police.

Suhail al-Jameel, 23, posted a statement to his Snapchat on Sunday saying authorities had charged him with sharing nudity online after police saw an October 6 photo of him in the shorts.

Saudi Arabia introduced new public decency laws in late September, one of which explicitly warned men not to wear shorts.

al-Jameel openly documented his sexuality on Snapchat and Twitter and posted makeup tutorials, dance videos, and images in revealing outfits. Homosexuality is illegal in Saudi Arabia.

Some Saudis cried hypocrisy on social media, given the contrast with a video of two western women swimming in bikinis in the Red Sea, which went viral as a symbol of a new, tolerant Saudi Arabia.

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A gay social media personality from Saudi Arabia says he is facing prison for posting a picture of himself in leopard print short shorts on Twitter.

Suhail al-Jameel, 23, posted a statement to his Snapchat on Sunday saying authorities had charged him with sharing nudity online, after initially detaining him for wearing shorts at the beach on October 6.

"In 2019 LGBTQ are not welcome in Saudi Arabia, you must live in secret and can't live in peace. You want tourism but you won't give us freedoms," al-Jameel, who has 170,000 Twitter followers, wrote.
"I take a photo of myself wearing shorts at the beach and I go to jail for wearing shorts. Then the police change my charges to electronic crimes for sharing photos of nudity. How am I nude if I am wearing shorts on a hot beach?"

al-Jameel did not specify how long he thought he could be detained for. Fans of his on Twitter posting under the #freesuhail hashtag said it was three years.
Insider has been unable to independently verify this.

In late September, the Shura council, crown prince Mohammed bin Salman's advisory chamber, approved 19 new public decency laws, one of which stated that men and women should dress conservatively.

**Read more:** [Everything we know about Neom, a 'mega-city' project in Saudi Arabia with plans for flying cars and robot dinosaurs](#)

The laws were introduced to help tourists arriving in the kingdom on the new tourist visa avoid violating Islamic custom. They specifically warned against wearing shorts, exposing the midriff, or exposing a lot of skin in general.
This month, young Saudis on Twitter were shocked and elated after a video of two swimsuit-clad western women swimming in the Red Sea went viral. Many considered it symbolic of the country's commitment to modernizing.
Fans of al-Jameel, however, used the images to express disgust at the kingdom's double standard over the divergent way it treats locals and tourists.

**Read more:** Saudi Arabia is enlisting Instagram travel influencers to help repair its tattered reputation

The Abu Dhabi-based news outlet Erem News reported that al-Jameel has been imprisoned in Saudi Arabia before, without giving details.

**NOW WATCH:**

More:  News UK  Saudi Arabia
Tab 24
'I Never Wanted to Be a Dissident.' A Gay Saudi Journalist Seeking Asylum in Australia Speaks Out After Being Detained
Two weeks before a Saudi assassination team murdered dissident journalist Jamal Khashoggi in Istanbul in October 2018, Saudi Arabia’s state security agency summoned Sultan, then a 46-year-old senior official at the Saudi Ministry of Media, to a prison on the outskirts of Riyadh.
Sultan, who asked TIME to use a pseudonym to protect his identity out of fear for his safety, says he was taken to a cell with a CCTV camera angled towards the ceiling, where an interrogator accused him of helping a foreign journalist meet Saudi dissidents, and hinted he would out him as gay should he continue to work with the foreign press.

Sultan was indeed in a relationship with another man, something he had kept secret for over a decade. After he and Nassar (also a pseudonym) began living together a few years ago, the pair moved apartment every six months to avoid attracting attention. Homosexuality is a crime in Saudi Arabia and can carry the death penalty.

A year after Khashoggi’s murder, Sultan once again found himself in detention—but this time in Australia. He and Nassar, a cameraman, traveled there in October to seek asylum after receiving death threats from Nassar’s relatives, who said they had received information that his relationship with Sultan did “not please God.” Those threats were followed by a police summons for both men on unspecified charges. The pair decided to flee the country, arriving in Australia on tourist visas before being taken into detention.
Their asylum case—which prompted messages of support from several prominent international media organizations, as well as an advocacy campaign from Australia’s LGBT community—is a stark reminder that despite hosting its first ever media forum in Riyadh this month, Saudi Arabia remains dangerous for those perceived as critical of its leadership, and a prohibitive place for LGBT people.

Sultan believes Saudi authorities leaked information about their relationship to Nassar’s relatives out of suspicion Sultan had continued to work with the foreign press. “The interrogator said, ‘look, it’s obvious to me what’s going on. You have secrets. But secrets don’t have to remain secrets forever,’” Sultan told TIME by phone from Sydney’s Villawood Immigration Detention Center on Dec. 6, 11 days before he was released. “I asked what’s the point of all of this. He said: ‘We need you to stop working with the foreign media.’”

Sultan traces his trouble with Saudi authorities back to March 2018, when he granted Canadian journalist Marie-Eve Bedard a visa to visit the Kingdom. In Jeddah, the reporter met with prominent
activists Samar Badawi and Zuhair Kutbi; the latter gave her documents detailing torture and human rights abuses in the Kingdom’s prisons, Sultan says. TIME could not independently confirm whether Bedard met activists in Saudi Arabia or how she used the information she is said to have received. Sultan denies facilitating their meeting.

That July, Saudi Arabia detained Badawi, among other activists accused of offenses including “suspicious contact with foreign parties.” (Kutbi has been imprisoned since January 2019, according to the Committee to Protect Journalists.) The next month, Canada’s Foreign Minister criticized the Kingdom over Badawi’s arrest and Saudi Arabia expelled Canada’s ambassador. The diplomatic spat cast a pall over Crown Prince Mohammed bin Salman’s bid to portray himself as modernizing reformer.

Sultan was interrogated in September over his role in arranging Bedard’s itinerary. The same month, he says he was demoted from his position at the Ministry of Media. His salary was then delayed for the following months and he resigned at the end of December. He says he was invited to apply for jobs at the Royal Court and Ministry of Foreign Affairs but was rejected after passing panel interviews at each. Then he was denied a commercial registration license to open a production company. Saudi Arabia’s Ministry of Media did not respond to TIME’s request for comment on his case.

Sultan says that throughout, he continued to receive calls and
emails from international journalists keen to work with him. He declined their offers but occasionally connected them with producers he thought could help. That, he believes, crossed a red line for the Saudi government and precipitated the exposure of his relationship with Nassar.

In Australia, the couple has now been released from detention after Australia’s Senate passed a resolution on Dec. 4, forcing the government to recognize that its detention of Sultan and Nasar at Villawood had placed them at increased risk. (Highlighting the dangers faced by asylum seekers, Amnesty International said that about three-quarters of some 485 individuals detained at Villawood are criminal deportees, or others who have had their visas canceled for character reasons.) Nassar was released on Friday Dec. 13, and Sultan was released four days later.

In an interview 11 days before he was released, Sultan detailed the circumstances that forced him to flee Saudi Arabia, and provided an insider account of how the ascent of Crown Prince Mohammed bin Salman has shifted red lines for journalists and activists working in the Kingdom. The interview has been edited for length and clarity.

**TIME:** You had assisted visiting international news organizations in Saudi Arabia for years. How did you come to be employed at the Ministry of Media?

**Sultan:** In 2017, I was approached by the Minister of Media. He
asked me to do for him what I had been doing up until that point: working with the foreign media to help manage the Kingdom’s reputation abroad. I told him I did not want to be part of the propaganda machine but he said that he only wanted me to ensure fair and accurate reporting about Saudi Arabia. That sounded like a good deal and I accepted. Part of my official role was to grant visas to foreign journalists, study the reporting they’d done in the past, and determine how to best get them to report fairly and accurately. I love my country and I loved the challenge of trying to help people understand our culture. Our government is difficult to understand but our culture is a good one.

Were you aware during your career as a field producer, of red lines journalists covering Saudi Arabia should not cross?

Even with the religious police and the hard-line clerics, we had gotten used to how Saudi Arabia worked, and we knew how to operate in it. It was never completely clear but up until about 2017, there was a sense of where the red lines were. You did not attack the ultra-conservative religious establishment. You did not attack the royal family. And you did not attack any princes or high-power people by name. If reporters wanted to do a story about a company official accused of corruption, for example, there was a certain person in the Ministry of Interior I would call and ask whether it was going to be a problem. They would say: steer them away from this person, or that’s fine, go ahead.
How did the media environment change after Mohammed bin Salman became Saudi Arabia’s de-facto leader in 2017, the year you began working for the state?

The Kingdom was changing in ways that no one had expected — ways that were very positive. People who were known to be corrupt, who had stolen billions from the country, were suddenly being arrested. Women’s rights were at the forefront, and the changes that Loujain al-Hathloul and other people who were considered dissidents were fighting for were starting to happen. The religious police, which most liberal people like me detested, had their powers taken away and suddenly the press were criticizing ultra-conservatives, saying they’d oppressed the country since 1979. It felt like a lot of the red lines were being lifted; that was cause to celebrate.

At the same time, there were crackdowns against human rights activists and writers. Were you aware of the rationale behind those arrests at the time?

People like Loujain al-Hathloul and Eman Al Nafjan were suddenly being arrested. A whole bunch of writers were arrested and we didn’t know the reason. People have surmised that the government didn’t want dissidents getting credit for the changes that were happening, but it was never put out in the public domain. I felt somewhat protected because of my position at the Ministry of Media. I thought I could guide the foreign media through the changes and figure out where the new red lines were. But to end up being pulled out in such
a horrible way and threatened that they are going to out my partner
and I to our families and put our lives in danger made me realize I
no longer knew Saudi Arabia. I never wanted to be a dissident. I love
my country and I support the positive changes that Saudi Arabia is
going through. But arresting journalists, throwing people in jail
without any explanation or trial, is a very alarming development.

Why is the press being muzzled at a time Saudi Arabia is
attempting to move towards a more open society? Aren’t those two things in contradiction?

Let’s not forget that Saudi Arabia is an ultra-conservative country.
The majority of people are against the General Entertainment
Authority. These are people that want to have nothing to do with
Mariah Carey or Nicki Minaj [who in July pulled out of a planned
performance in Jeddah, citing her support for LGBT people and free
expression]; these are people that want the religious police back;
these are people that want to be able to control their women. The
changes [Bin Salman] is making are the kind that could lead to a
revolution and I think the government is afraid there’s going to be
civil unrest. By controlling the media, by arresting a lot of people,
they’re showing that anyone speaking up against the changes is
going to be silenced. But a successful government is one that allows
people to speak their minds and discusses the dissent so that it’s no
longer dissent.

In a November crackdown, Saudi authorities reportedly
arrested at least seven more journalists. But in December, the
Saudi Journalists Association, which says it is a civil society organization, hosted a forum in Riyadh discussing things like the relationship between the media and democracy. Has anything changed since Khashoggi’s murder?

There’s no such thing as independent media in Saudi Arabia. Everybody watches what they say. This [media forum] seems like a PR stunt to alleviate some of the pressure because a lot of people have lost face. One thing that could be a positive step is that since Jamal’s killing Saudi Arabia has put media relations under the Royal Court and established a whole new team of young men and women to help foreign press get certain interviews. But you’re not going to find anybody in Saudi Arabia writing anything negative about the Kingdom. And if the person does write something, he’s going to end up in the same place as those people who were just arrested. Had I still been there, I’m sure my name would have been among them.

How did your two months of detention fit with the conditions you expected as an asylum seeker?

Before coming here I had read about offshore detention centers where people would be held for months and years until their asylum claims are processed. But those are people that attempted to come to Australia by boat; we came with visas. Villawood is a multi-million dollar facility and it does not look like a prison but for us to come here in handcuffs and to be put in an environment with people that are using crystal meth, it was very intimidating. Although I’ve been threatened, intimidated and bullied in Saudi Arabia, I was
never thrown in a jail cell without charge. That didn’t happen to us until we came to Australia.

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WRITE TO JOSEPH HINCKS AT JOSEPH.HINCKS@TIME.COM.

SHARE THIS STORY
Tab 25
Saudi Police Arrest 'Gay Wedding' Participants From Viral Video
The clip of two men in a marriage procession has sparked outrage but also some praise in the Arab world.

BY DANIEL REYNOLDS (/AUTHORS/DANIEL-REYNOLDS)
JANUARY 09 2018 8:30 PM EST

The participants in what appears to be a same-sex wedding ceremony have been arrested in Saudi Arabia.

Mecca authorities released a statement Monday confirming the arrests, after a video of the ceremony went viral on social media. In it, confetti sprays over two men walking side by side, with one wearing what appears to be a bridal veil.
The supposed ceremony, which occurred Friday at a Mecca resort, was reported to police by a male witness.

"The man said people attending the event were surprised when a few young men entered the place and tried to perform a 'gay wedding scene.' The police were told one of the men appeared to be a cross-dresser," read the statement posted to Twitter, according to a translation by Step Feed. "After the cross-dresser and other people involved in the incident were identified, they were all arrested and their case will now be referred to the prosecution," it continued.
زواج مثليين في مكة بس المظله والبخاخات حريقه
It is illegal to be gay or to dress in gender-nonconforming clothes in Saudi Arabia. Punishments can include fines, torture, imprisonment, and death.

The video sparked considerable backlash after it was posted to Twitter last week. "In the purest spot on earth... two homosexuals marry in Saudi Arabia," wrote an outraged user, referring to Mecca's status as the holiest city in the Muslim faith.

Many questioned whether the ceremony might be a stunt. "A performance? Or a gay wedding?" one user asked.

Others pointed to the video as a sign of progressive change. "This is the new Saudi Arabia, under the leadership of Mohammed bin Salman," another declared. Salman, the newly appointed crown prince, has helped herald an era in which women have gained the right to drive. But conversely, arrests of human rights activists have also spiked under his watch.

TAGS: CRIME (/CRIME), MUSLIMS (/MUSLIMS)
Tab 26
Activists say two Pakistani transgender women beaten to death in Saudi Arabia

By Reuters Staff

PESHAWAR, Pakistan March 6 (Reuters) - Pakistani activists on Monday said two transgender women were beaten to death by police after being arrested in Saudi Arabia along with more than 30 other members of the community.

Saudi media reported last week that police had raided a party where men were dressed as women and wearing make-up and arrested around 35 people, but the outlets did not use the word transgender, nor say anyone had been killed.

Farzana Riaz, a leader of campaign group Trans Action Pakistan, told a news conference that sources in the transgender community in Saudi Arabia had told her the two Pakistani women were packed in sacks by police and then beaten to death with sticks.
The Saudi Interior Ministry did not immediately respond to a request for comment. The Pakistani Interior Ministry was not immediately available for comment. Reuters could not independently verify the deaths.

“We are deeply saddened by the deaths of these two innocent trans persons in Saudi Arabia,” Riaz said at the news conference in Peshawar.

“We request the Saudi government to release the information of the 35 transgender persons arrested; we want to know their details, under what charges were they arrested, what is their medical condition?”

At the news conference in Peshawar, Riaz showed journalists several photos of those still in custody that she said had been sent to her by contacts in the Saudi Arabia trans community, along with messages sent via cellphone.

She said the bodies of the dead women must be sent to Pakistan immediately.

Qamar Naseem, a rights activist from the Blue Veins group, told the same news conference he had shared available information about the incident with members of Pakistan’s parliament.
Saudi Arabia has no law against transgender people, but the desert kingdom has carried out arrests for cross-dressing and ordered the imprisonment and flogging of men accused of behaving like women, according to the U.S.-based Human Rights Watch.

In much of Pakistan, transgender people are shunned by their families and forced into begging or prostitution to support themselves. Most change their names or use only one name.

Trans Action Pakistan estimates there are at least 500,000 transgender people in the country of 190 million.

But an incident last year, when a transgender activist died after being shot six times and then denied treatment at a Peshawar hospital, seems to have softened attitudes and there has slowly been greater recognition of their rights.

In January, a Pakistani court ruled that transgender people would be counted in the national census for the first time. In 2012, the Supreme Court declared equal rights for transgender citizens. A year earlier they were allowed to vote. (Reporting by Mehreen Zahra-Malik, Jibran Ahmad, William Maclean, Aziz Elyaakoubi; Writing by Mehreen Zahra-Malik; Editing by Alison Williams)

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Tab 27
Two transgender Pakistanis 'tortured to death' in Saudi Arabia

Pakistan human rights activists demand information from Saudi Arabia over 11 transgender people still in custody

Peter Walker | @petejohn_walker | Friday 03 March 2017 00:19 | comments
Two transgender Pakistanis ‘tortured to death’ in Saudi Arabia | The Independent | The Independent

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Two transgender people were packed in sacks, thrashed with sticks and tortured to death, according to human rights activists.

Police allegedly killed 35-year-old Amna, and Meeno, 26, both Pakistanis, after raiding a house in Saudi Arabia and arresting 35 transgender people.

Activists in Pakistan are demanding clarification from Saudi Arabia over the deaths and the 22 people reportedly still in custody.

“We want information because right now this is a very confusing situation and many in the transgender community in Saudi Arabia are feeling delicate and scared,” said Qamar Naseem, a feminism and social rights activist from the Blue Veins group, speaking to The Independent.
“They are not treated fairly even by criminal law in Saudi Arabia, and it’s not just people from Pakistan, it’s people from different parts of the world.

“Gender fluid people are treated badly, sometimes flogged, and if someone is arrested on the same law for a second time they can be executed.”

Mr Naseem said he and TransAction Pakistan president Farzana Jan were told by a transgender contact in Saudi Arabia about the raid.

They were allegedly arrested for cross-dressing and for having same-sex relationships in the capital of Riyadh.

Homosexuality is punishable by death while any sex-change surgery is illegal.

Mr Qamar said the group were hosting a Guru Chela Chalan gathering, a Pakistani ceremony celebrated in the transgender community, in which they choose their 'guru' leader.
Eleven were reportedly arrested after paying a 150,000 riyals fine (£33,000) while 22 were kept in custody.

He said the two victims, from Khyber-Pakhtunkhwa in Pakistan, were “kicked and beaten in bags”.

The Travel Agents Association of Pakistan was reportedly told last year not to grant visas to transgender people planning the Hajj or Umrah pilgrimage.

Saudi Arabia last year insisted the United Nations keeps LGBT rights out of its development goals.
"Amnesty International has been unable to verify this information, but urges the Saudi Arabian authorities to comply with their duty to conduct a thorough and independent investigation into any allegation of torture and extra-judicial executions and bring those suspected of criminal responsibility, including state agents, before ordinary courts in proceedings that meet international standards of fair trial and without the recourse to the death penalty," said an Amnesty International spokesman.

"The authorities must diligently investigate any possible discriminatory motive in these crimes, including discrimination on the basis of gender identity and expression."

_The Independent_ has contacted the House of Saud and Pakistan’s Ministry of Human Rights for further comment.

_Update. A graphic which previously accompanied this report included Lithuania among a list of countries in which homosexuality remains a criminal offence. In fact, homosexuality was decriminalised in Lithuania in the 1990s. We are glad to clarify matters._
Tab 28
Three ‘effeminate’ men arrested at Saudi Arabia Starbucks

October 18, 2016 at 11:53 pm EDT | by Michael K. Lavers

Saudi police last week arrested three “effeminate” men at a Starbucks in the country’s capital.

The man behind the Saudi LGBT Twitter account told the Washington Blade that a gay friend said officers arrested the men — who were all under 20 — at a Starbucks on Riyadh’s King Abdullah Road on Oct. 13.

Agents with the Committee for the Promotion of Virtue and the Prevention of Vice — the so-called “religious police” that enforces Sharia law in Saudi Arabia — were reportedly with the officers when they arrested the three men between 10 p.m. and midnight.

“[This is the] busiest time for restaurants and cafes in Riyadh, considering that the weekend there is Fridays and Saturdays,” said the man behind the Saudi LGBT Twitter account, who has previously asked the Blade not to publish his name.

He said the officers arrested the three men because Committee for the Promotion of Virtue and the Prevention of Vice agents are “no longer allowed to make arrests.” The man behind
the Saudi LGBT Twitter account told the Blade on Tuesday that authorities released the men “shortly after” they were arrested.

**Saudi law bans men from behaving ‘like women’**

The State Department’s 2015 human rights report notes it is illegal in Saudi Arabia for men "to behave like women" or to wear women's clothing.

Media reports indicate that authorities in Taif, a city that is roughly 470 miles south-southwest of Riyadh, arrested a man in late 2015 who was wearing an abaya, a black cloak that women in Saudi Arabia and neighboring countries wear, at a shopping mall.

Police and agents with the Committee for the Promotion of Virtue and the Prevention of Vice in 2014 arrested 35 gay men — many of whom were wearing women’s clothing — at a party in the city of Jiddah on the Red Sea.

The man behind the Saudi LGBT Twitter page told the Blade that such raids are “not uncommon.” He said the Committee for the Promotion of Virtue and the Prevention of Vice directs the police to carry them out in order to “send a message.”

Saudi Arabia is among the handful of countries in which homosexuality remains punishable by death.

“The dangerous thing about these raids is that they are completely unexpected and random, and there are no way to know who will be arrested,” said the man behind the Saudi LGBT Twitter page. “Usually the ‘gayer’ you look the more likely you are to be arrested. But you can be arrested for just looking at the religious police funny or filming them. It is completely random.”

He told the Blade that those who are arrested in such raids could face “humiliation, torture or even sexual abuse.”

Neither the Saudi government nor Starbucks have returned requests for comment.

*Image by NormanEinstein; courtesy Wikimedia Commons*

**Michael K. Lavers**

Michael K. Lavers is the international news editor of the Washington Blade. Follow Michael
Tab 29
34 Members of Congress Condemn Saudis for LGBT Crackdown
The Saudi government's targeting of queer people will have repercussions, according to a letter signed by a bipartisan Congressional group.

BY NEAL BROVERMAN (/AUTHORS/NEAL-BROVERMAN)  
APRIL 27 2016 2:08 PM EDT
A letter spearheaded by out New York congressman Sean Patrick Maloney (pictured, left), and signed by 33 of his peers, forcefully asks the Saudi ambassador to end sting operations targeting LGBT people in the country, as well as reported incidents of torture and even capital punishment.

Sent last week, the letter (https://seanmaloney.house.gov/sites/seanmaloney.house.gov/files/wysi) was addressed to Ambassador Prince Abdullah bin Faisal bin Turki Al-Saud (pictured, right) and concerned a harsh new effort to punish LGBT people in Saudi Arabia. The letter references reports, including those on social media, that Saudi Arabia's Joint Security Task Force to Fight Against Sexual Anomaly is conducting sting operations attempting to weed out LGBT Saudis. Openly lesbian, gay, bisexual, and transgender Saudis are allegedly being charged with the same crimes as rapists and pedophiles and facing punishments that include flogging, and possibly even death.
"These reports are highly concerning," the letter reads. "Our country respects the sovereignty and cultural traditions of other nations. We want to be clear, however, that the persecution, torture and execution of members of the LGBTQ community are clear violations of human rights. Such actions will be an impediment to the mutually beneficial relations that should exist between our two nations."

All of Congress's out LGB members signed the bill, including Kyrsten Sinema, Jared Polis, Mark Takano, Marc Pocan, David Cicilline, and Maloney. Nearly all of the letter's signatories were Democrats, except for Republican Richard Hanna of New York.

Saudi activists have been ringing the alarm for at least two years on governmental oppression. Saudi Arabia, a key U.S. ally and follower of strict, antigay Sharia Law, has enforced a ban on consensual same-sex relations with punishment including death. Numerous reports of gay and bi Saudis being lured over the internet have been reported— one man allegedly faced 450 lashes for seeking sex via Twitter — and a 2014 State Department report confirmed that 35 people were thrown in jail because they were perceived as men wearing women's clothing at a party. Another man was reportedly jailed for flying an LGBT flag above his home, the *Washington Blade* reports (http://www.washingtonblade.com/2016/03/28/report-saudi-authorities-seek-death-penalty-for-coming-out/).
Tab 30
Saudi Arabia 'pushes for homosexuals to be executed' amid fears social media is 'turning people gay'

Saudi Arabia is reportedly pushing for harsher punishments on homosexuals and could even sentence gays to death. According to Okaz newspaper, Saudi Arabia is seeking to 'raise the ceiling on the sanctions demanded by the prosecutor in cases of homosexuality to become a discretionary death penalty'.

The death penalty could apply if the practice of homosexuality is 'deliberate' or 'uses social media', the paper claims.

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A man was arrested for raising a gay pride flag over his home (Image: Getty)
Prosecutors in Jeddah have proposed the death penalty in response to dozens of cases they have prosecuted over the last six months - including 35 people who received prison sentences for sodomy.

Okaz also reported that authorities have prosecuted 50 cases in which men allegedly dressed as women.

A doctor who lives in the port city on the Red Sea has been released on bail after officials arrested him for allegedly raising an LGBT Pride flag over his home.

Under the country's laws consensual homosexual acts are often legally indistinguishable from rape or paedophilia, so it is difficult to confirm data about gay people charged under Saudi Arabia's justice system.

In defiance, social media users in Saudi Arabia and elsewhere have begun to use the hashtag, 'You will not terrorise me, I'm gay' on Twitter.
Tab 31
A published report indicates that people who come out online in Saudi Arabia could face the death penalty.

Oraz, a Saudi newspaper, reported on Saturday that prosecutors in the city of Jiddah have proposed the penalty in response to dozens of cases they have prosecuted over the last six months. These include 35 people who received prison sentences for sodomy.

Okaz reported that Jiddah authorities have prosecuted 50 cases in which men allegedly dressed as women. A doctor who lives in the port city on the Red Sea has been released on bail after officials arrested him for allegedly raising an LGBT Pride flag over his home.

A gay Saudi man who lives outside the kingdom told the Washington Blade on Monday during a telephone interview the enhanced penalties that Jiddah prosecutors have proposed would apply to the entire country. The man, who operates a Twitter account that publishes LGBT-specific news and other information from Saudi Arabia, said the proposal has caused fear among LGBT people in the country.

Chanan Weissman, a spokesperson for the State Department’s Bureau of Democracy, Human Rights and Labor, told the Blade on Tuesday that the U.S. is “aware of these reports, but cannot verify their accuracy.”

“We continue to gather more information,” he said.
Social media users in Saudi Arabia and elsewhere have begun to use the hashtag “You will not terrorize me. I’m gay” on Twitter to express their opposition to the proposed penalty.

The idea of Homophobic should be erased from anyone’s state of mind. Love is love.

@emisonsouls March 28, 2016

Saudi Arabia is among the countries in which consensual same-sex sexual activity remains punishable by death.

The State Department’s 2014 human rights report notes it is illegal for men “to behave like women” or cross-dress. It also says the Committee for the Promotion of Virtue and the Prevention of Vice — the so-called “religious police” that enforces Sharia law in Saudi Arabia — uses undercover agents to target owners of social media accounts that distribute “pornographic content or served as social networking tools for LGBT persons in the kingdom.”

The man behind the Saudi LGBT Twitter account told the Blade on Monday that agents with the Committee for the Promotion of Virtue and the Prevention of Vice use people they arrest as “bait” to entrap LGBT people who are online.

“It’s happened so many times,” he said.

The State Department report notes that police and agents with the Committee for the Promotion of Virtue and the Prevention of Vice arrested 35 gay men — many of whom were wearing women’s clothing — at a Jiddah party in 2014. A judge in the holy city of Medina in the same year sentenced a man to three years in prison and 450 lashes for “soliciting sex with other men” on Twitter.

Media reports indicate that authorities in the city of Taif arrested a man late last year at a shopping mall who was wearing an abaya, a black cloak that women in Saudi Arabia and neighboring countries wear.

The man behind the Saudi LGBT Twitter page told the Blade that the sentences that judges impose upon those found guilty of LGBT-specific offenses are “completely random.”

“It depends upon the judge,” he said.

Death penalty proposal highlights country’s ‘horrific reality’

Two Saudi YouTube personalities last month posted a video in which they called for the execution of gay people after police reportedly raided a same-sex wedding in the kingdom’s capital of Riyadh. YouTube removed the clip after it sparked widespread outrage.

“We thought that this was a big step forward,” a source in Saudi Arabia told the Washington Blade on Sunday.

The source, who asked the Blade not to publish their name because of safety concerns, said reports that Jiddah authorities are seeking the death penalty against those who come out online highlights “the horrific reality of the situation” in the country.

“We can’t do a thing about it, but try to make some noise so activists from other countries
would hear about it and talk to their politicians to pressure Saudi to change its policies,” said the source. “The Internet is the only safe haven to LGBT individuals in the Middle East. If this is taken from us, we won't have anywhere else to go.”

The man behind the Saudi LGBT Twitter account agreed.

“It’s their only outlet,” he told the Blade. “There's no other actual space for LGBT people to meet outside the Internet.”

**U.S. has not done ‘enough’ to challenge human rights record**

Saudi Arabia remains a key U.S. ally, especially in the fight against the so-called Islamic State.

The U.S. gives more than $1 billion in aid to the kingdom each year.

The State Department told the Blade earlier this year that it continues to urge Saudi Arabia to “respect” human rights. Then-spokesperson Jen Psaki in July 2014 declined to say whether Secretary of State John Kerry raised the kingdom's LGBT rights record during his meeting with then-Saudi King Abdullah in Jiddah.

“I don’t think they’ve done nearly enough,” said the man behind the Saudi LGBT Twitter account.

“I want to see an actual punishment against people who preach hatred,” he added. “I want them to know they cannot leave the country.”

Weissman on Tuesday reiterated the State Department's previous statements that “LGBTI rights are human rights.”

“No one should be harmed or have their basic human rights denied because of their sexual orientation,” he told the Blade. “The United States will continue to raise the plight of targeted LGBTI individuals around the world and work to protect their basic human rights.”

“The United States works every day, both here in Washington and at our embassies and consulates around the world, to ensure that all persons can exercise their human rights, regardless of their sexual orientation or gender identity,” added Weissman.
Tab 32
Saudi man arrested for flying ‘pretty’ rainbow flag unaware it symbolised LGBT pride

The man said he bought the flag online after one of his children found the colours 'pretty'
A Saudi doctor, arrested for flying the rainbow pride flag above his home, has claimed he was unaware of the flag’s LGBT symbolism.

The man said he bought the flag online after one of his children found the colours “pretty” and had no idea it represented LGBT pride, CNN reports.

The Saudi religious police, or the Committee for Promotion of Virtue and the Prevention of Vice, arrested the man after he raised the flag on a three metre pole above his home in Jeddah.

According to local media, the man was bailed after an “investigation” and agreed to remove the flag.

Homosexuality is illegal under Sharia law in Saudi Arabia and punishments for those engaging in same-sex relationships include chemical castration, imprisonment and even death.

In September, Saudia Arabia insisted the UN remove gay rights from the organisation’s Global Goals, claiming it was “counter to Islamic law.”
The protest came from the Saudi Foreign Minister, Adel Al-Jubeir, who told the UN General Assembly that “mentioning sex in the text, to us, means exactly male and female. Mentioning family means consisting of a married man and woman”.

Faisal bin Hassan Trad, Saudi Arabia’s UN ambassador who was elected as chair of a panel of independent experts on the UN Human Rights Council, has previously said calls for the Kingdom to support rights for same-sex couples were “unacceptable” and a “flagrant interference in its internal affairs”.

Read more

- Saudi Arabia ambassador says country doesn't need elections
- Journalist sentenced to 5 years in prison for tweets in Saudi Arabia
- Saudi Arabia carries out 76th execution of the year
Earlier this month, Saudi Arabia executed the 76th person to be put to death in the country this year.

The executions have been met with warnings from human rights campaigners who say the Kingdom is executing people at a “frightening” rate.

In an annual report to the UN’s Human Rights Council, Juan Mendez, the Special Rapporteur on Torture, said it was becoming clear the escalating number of executions in the Kingdom amounted to torture and breached international law.

More about:  Saudi Arabia  Human Rights  LGBT Rights  Gay Pride