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2010 Human Rights Report: Saudi Arabia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2010 Country Reports on Human Rights Practices

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The Kingdom of Saudi Arabia is a monarchy ruled by the Al Saud family. The population is approximately 28.5 million, including 5.8 million foreigners. Since 2005 King Abdullah bin Abdulaziz Al Saud has ruled under the title Custodian of the Two Holy Mosques, a reference to his responsibility for Islam's two holiest sites in Mecca and Medina. The government bases its legitimacy on its interpretation of Sharia (Islamic law) and the 1992 Basic Law. The Basic Law sets out the system of governance, rights of citizens, and powers and duties of the government. The law also provides that the Qur'an and the Traditions (Sunna) of the Prophet Muhammad serve as the country's constitution. In 2005 the country held male-only elections on a nonparty basis for half the members of municipal councils, the first elections for any government position since 1963. Security forces reported to civilian authorities.

The following significant human rights problems were reported: no right to change the government peacefully; torture and physical abuse; poor prison and detention center conditions; arbitrary arrest and incommunicado detention; denial of fair and public trials and lack of due process in the judicial system; political prisoners; restrictions on civil liberties such as freedoms of speech (including the Internet), assembly, association, movement, and severe restrictions on religious freedom; and corruption and lack of government transparency. Violence against women and a lack of equal rights for women, violations of the rights of children, trafficking in persons, and discrimination on the basis of gender, religion, sect, and ethnicity were common. The lack of workers' rights, including the employment sponsorship system, remained a severe problem.

Increased efforts to protect women and children against domestic violence through the National Family Safety Program, as well as the Human Rights Commission, reflected a significant human rights achievement.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents were not known to have committed politically motivated killings during the year. However, closed court proceedings in capital cases made it impossible to determine whether the accused were allowed to present a defense or were granted basic due process, and there were reports that the government killed civilians in conflict.

The government reportedly announced 26 executions during the year, all by beheading. Death sentences for two women and one man convicted of witchcraft and sorcery were reportedly vacated. On November 10, the Supreme Court overturned the death sentence for Lebanese national Ali Hussein Sibat convicted on charges of sorcery and requested that a new panel of judges reexamine the case and issue a less severe punishment, such as deportation. The government executed 67 persons in 2009 and 102 persons in 2008.

There was no update on the reported June 2009 death in custody of Abdullah al-Rumian, a Saudi militant extradited from Iraq, in the state security detention center at Al-Ha'ir (security offenders are held in the detention center, criminal offenders in the prison).

There were media reports that Saudi armed forces killed Yemeni civilians in cross-border air and artillery strikes against Houthi rebels from Yemen more than a week after a January 23 cease-fire. During the year the Houthis claimed there were 14 deaths through February 5, including some women and children. The government claimed its attacks, which began in November 2009, were within Saudi territory and intended to eliminate armed groups of Houthi rebels who had killed three border guards and wounded 15 other members of the security forces in the border region of Jebel al-Dukhan. In December 2009, according to press reports, Saudi attacks killed 54 civilians in the town of Al-Nadheer and injured an unknown number.

b. Disappearance

There were no reports of politically motivated disappearances during the year.

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

Article 2 of the Law of Criminal Procedure and other legal provisions prohibit torture and hold criminal investigation officers accountable for any abuse of authority. Sharia, as interpreted in the country, prohibits judges from accepting confessions obtained under duress. Government officials claimed that Ministry of Interior (MOI) rules prohibiting torture assured that such practices did not occur in the penal system, and the president of the governmental Human Rights Commission (HRC) conducted prison visits in 2009 to ascertain that torture did not occur in prisons or detention centers. Nevertheless, during the year there continued to be reports that authorities sometimes subjected prisoners and detainees to torture and other physical abuse.

On December 1, 32-year-old Yemeni Sultan Muhammad Abdo Doais reportedly died in the custody of Qassim prison after four years of incommunicado detention. His brother reported to the unlicensed nongovernmental organization (NGO) the Saudi Civil and Political Rights Association (ACPRA) that investigator Nawaf Ibrahim Duwaysh had tortured Sultan to the point that his health had deteriorated and he had become mentally ill. His family was permitted to see him every four months.

There were no updates in the reported cases of torture by prison officials stemming from the June 2009 claims by the NGO Yemeni Network for Human Rights concerning Saleh Salim, three other defendants in the same case, and hundreds of allegedly similar cases in the prisons.

During the year Suliman al-Reshoudi remained in prison on charges of financing and supporting terrorism and was "in and out" of solitary confinement, according to the ACPRA. The royal family-funded NGO National Society for Human Rights (NSHR) confirmed that al-Reshoudi had been indicted and tried. In October 2009 the ACPRA wrote an open letter to King

Abdullah highlighting that the 73-year-old al-Reshoudi, a member of the ACPRA, was subjected to "severe physical and psychological tortures," including tying his feet to a bed frame with two separate chains and being forced into a sitting position throughout the day and shackled at night. The prisoner has been in solitary confinement for three years because of his reform advocacy and activism, according to ACPRA.

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There were reports of government officials and employees physically abusing persons during the year; however, the number of reported abuses and corporal punishment declined.

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), a semiautonomous agency commonly known as the religious police, has the authority to monitor social behavior and enforce morality. There were no reports of police, employees, or volunteers of the CPVPV harassing women and men for being alone in the company of an unrelated person of the opposite sex, although there were arrests for such activities.

Judicially sanctioned corporal punishments were carried out. For example, on March 13, the Riyadh Court of Appeals endorsed a verdict sentencing a man accused of sorcery to eight years in prison and 800 lashes after the CPVPV had arrested him for practicing magic and being involved in other activities allegedly contrary to the teachings of Islam.

On July 10, the daily newspaper *Arab News* reported that a diabetic prisoner confined to a wheelchair lost his eyesight after being whipped in a prison in Mecca. The prisoner reportedly had been charged with fraud and sentenced to six months in prison and 150 lashes. The NSHR reportedly investigated the case with prison officials and facilitated the prisoner's release and the payment of his debts. There was no indication that responsible prison officials were prosecuted.

Unlike in the previous year, there were no judicially sanctioned amputations reported.

On September 28, the *Saudi Gazette* reported that a court in Qatif sentenced two third-grade students to six months in prison and 120 lashes for stealing examination papers.

There were reports that rape and other sexual abuses were widespread during confinement in both men's and women's detention centers and prisons. Although there were some female guards in women's prisons, their supervisors were men. In 2009 local human rights watchers reported that prisoners had been sexually abused in the Buraida Prison in Qassim but did not alert prison authorities due to the stigma and penalties associated with homosexual activities. Human rights activists stated that the MOI was not responsive to requests from independent activists to investigate this allegation.

Prison and Detention Center Conditions

Prison and detention center conditions varied, and some did not meet international standards. No independent human rights observers visited prisons or detention centers during the year, but the government permitted domestic organizations, such as the NSHR and the governmental HRC, to perform some monitoring of prison conditions. In its 2009 annual report, the NSHR registered 682 cases involving prisoners who complained about conditions during the year. The NSHR reportedly monitored health care in prisons and brought deficiencies to the attention of the MOI, which administers prisons and detention centers.

On October 20, the NSHR inspected the Taif Deportation and Detention Center. The Detention Center was dilapidated with inadequate air-conditioning and toilets, but the NSHR noted that living conditions in the Deportation Center were good, and there were no complaints about maltreatment.

In its 2009 report, the HRC found prison conditions below acceptable levels, citing overcrowding and prolonged detention of prisoners and pretrial detainees who had served their sentence. Human rights observers stated that women's prisons were in especially poor condition. On January 29 and on September 22, riots took place at the Women's Correction Center in Mecca. In January the women had complained of poor conditions, including no access to medical care, no family visits,

unhygienic food, and physical assaults. Both the nongovernmental NSHR and the MOI's Commission for Investigation and Public Prosecution (CIPP) investigated and verified the complaints, and the NSHR stated that it was monitoring the situation. The Ministry of Social Affairs (MOSA) issued a report recommending that the facility should not receive new prisoners for six months due to overcrowding, that it should employ additional female housekeeping staff, and that modern educational methods replace corporal punishment. The CIPP investigated the September incident; its findings were not reported by the end of the year.

On August 25, the daily newspaper *Al-Watan* reported the deaths of five Ethiopians resulting from suffocation due to overcrowding in the Jizan Deportation Center. On August 30, the *Arab News* reported that the NSHR's supervisor general found the health conditions of many inmates in the deportation center to be poor. A governmental committee investigated the deaths; findings were not reported at the end of the year.

There were approximately 29,000 prisoners and detainees, including juveniles and women, according to the UN 2007-08 *Human Development Report*. The maximum number of prisoners and detainees the facilities were meant to hold was not available.

Pretrial detainees were held together with convicted prisoners. Persons suspected or convicted of terrorism offenses were separated from the general population, according to diplomatic sources, but held in similar facilities. Detainees and prisoners were permitted to perform religious observances. Security prisoners and some other prisoners did not have reasonable access to visitors. There was no information available whether prisoners were able to submit complaints to judicial authorities without censorship or whether credible allegations of inhumane conditions and treatment were investigated and made public. There was no ombudsman to act in behalf of prisoners and detainees.

On July 18, local press reported that HRC President Bandar al-Aiban demanded that the shortcomings in the country's prisons be addressed and that prisoners be guaranteed their legal rights. The Ministry of Justice attempted to improve the pretrial detention process and insist on the prompt release of prisoners upon completion of their sentence. On July 10, the ministry directed courts to expedite prisoner releases so that prisoners were not held for longer than their sentence and stressed that the Penal Procedures Regulations gave prisoners a right to compensation in such cases. On October 5, the *Saudi Gazette* reported that the MOI's Expatriate Administration in Jeddah deported 1,000 detainees who had been held in the Jeddah Deportation Center for violations of residency laws. Detentions can be prolonged due to delays in issuing required travel documents. Since 2008 the CIPP has reviewed cases of prisoners who served their sentence but remained imprisoned, although the results were not publicly available. According to the NSHR and the HRC, efforts to reduce the number of prisoners in prisons and detention centers included time away from prison and participation in work programs outside prison if warranted by a record of good behavior. In September 2009, in part to address the issue of overcrowding, the Council of Ministers authorized waivers of 15 percent of sentences for inmates with good behavior records who completed educational and vocational training programs in prison; this waiver program was in effect during the year.

d. Arbitrary Arrest or Detention

The Basic Law provides that a person's actions may not be restricted and a person may not be imprisoned, except under provisions of the law. Nonetheless, because of ambiguous implementation of the law and a lack of due process, the MOI, to which all forces with arrest power report, maintained broad powers to arrest and detain persons indefinitely without judicial oversight or effective access to legal counsel or family. In practice authorities held persons for weeks, months, and (sometimes) for years.

Role of the Police and Security Apparatus

The king, minister of interior, minister of defense, and Saudi Arabian National Guard (SANG) commander all have responsibility in law and in practice for law enforcement and maintenance of order. On November 17, Prince Miteb bin Abdullah replaced his father, King Abdullah, in command of the SANG. Crown Prince Sultan, the minister of defense and aviation, was responsible for all of that ministry's armed forces. The minister of interior, Prince Naif, exercised control over all internal security and police forces, except the General Intelligence Presidency, the government's primary external intelligence agency that reports directly to the king and maintains its own forces. The civil police and the internal security police are authorized to arrest and detain individuals. The semiautonomous CPVPV, which monitors public behavior to enforce strict adherence to Saudi official interpretation of Islamic norms, reports to the king via the Royal Diwan (royal court) and to the MOI.

Security forces were generally effective at maintaining law and order. The Board of Grievances, an administrative judicial commission responsible directly to the king, is the only formal mechanism available to investigate claims of abuse, but its findings were not public. Citizens may report abuses by security forces at any police station, to the HRC, or to the NSHR. The HRC and the NSHR maintained records of complaints and outcomes, but privacy laws protected information about individual cases, and information was not publicly available. During the year there were no reported prosecutions of security forces for human rights violations, but there was at least one investigation into wrongdoing. On August 4, authorities in the Tabuk region investigated a complaint against the CPVPV where they forced a man to come in for questioning under false pretenses. At year's end the outcome of the investigation was unknown.

The HRC in cooperation with the Ministry of Education provided materials and training to police, security forces, and the CPVPV on protecting human rights. On May 17-18, Naif Arab University held a seminar to train members of the Supreme Judicial Council and judges on skills needed to combat trafficking in persons and coordinate with international organizations on the problem. On July 10, 540 CPVPV senior field staff participated in training at the University of Taif to acquaint themselves with regulations relevant to their work. The program consisted of 18 courses administered over six consecutive training periods. On July 27, members of the CPVPV participated in a five-hour workshop with 20 specialists to discuss the organization's performance, learn how to address its audience, and present a positive and professional image.

Arrest Procedures and Treatment While in Detention

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." Authorities may summon any person for investigation, and an arrest warrant may be issued based on evidence, but warrants sometimes were not used, and they are not required in cases of probable cause. There was a functioning bail system for less serious criminal charges. The law does not specify a timeframe for access to a lawyer, although the law provides the accused the right to seek legal assistance; the practice is for the state to provide a lawyer for indigents. There were no established procedures providing detainees the right to contact family members following arrest. The law specifies a timeframe for judicial determination of the legality of detention by a 72-hour limit on the period of arrest without charges being filed and requiring trial of the detained within six months. Reportedly, authorities frequently failed to observe these legal protections.

Incommunicado detention was sometimes a problem. According to an Amnesty International (AI) report during the year, thousands of individuals detained on security grounds were held in virtual secrecy, although the definition of virtual secrecy was unclear. There were reports of at least one incident involving torture or abuse of persons in such detention.

There were reports of arbitrary arrest and detention. Although the law prohibits detention without charge, authorities detained without charge security suspects, persons who publicly criticized the government, Shia religious leaders, and others who violated religious standards.

On March 3, according to the ACPRA, the MOI's security arm, the Department of General Investigation, reportedly arrested human rights activist and student Thamer Abdulkareem al-Kather without charge in Qassim and transferred him to a prison in Riyadh. Al-Kather advocated for prisoners' rights and constitutional reform.

On June 15, the Abu Dhabi newspaper, *The National*, reported that authorities in Jubail in the Eastern Province arrested and imprisoned human rights activist Mekhleef bin Daham al-Shammary without a formal charge. According to the NGO Human Rights First Society, which holds a power of attorney from al-Shammary, the charge in the prison file was "annoying others" (see section 2.a., Internet Freedom). Government sources stated that al-Shammary held unlicensed political meetings, an illegal activity.

According to the ACPRA, the following activists were also among those detained without official indictment or court ruling at year's end: Abdulrahman al-Shomairi, Ali Khosifan al-Qarni, Mousa al-Qarni, Saud al-Hashemi, Abdulrahman bin Sadiq, Saifaldeen Faisal al-Sherif, Mansour al-Otha, Abdulrahman Khan, Muhammad al-Otaibi, and Khalid al-Omair. According to Human Rights Watch (HRW), most of these activists had been detained since 2007. The media reported allegations that the activists financed terrorism outside the country. The ACPRA claimed in an open letter to the king that the government uses religion and the counterterror campaign to criminalize, incarcerate, and discredit advocates of reform. In 2008 the ACPRA and outside supporters organized a two-day hunger strike to protest these activists' ongoing detention. On August 28, authorities charged one of the activists, Suleiman al-Reshoudi, with financing and supporting terrorism after his lawyer filed a lawsuit based on the legal requirement that a detainee be released if court procedures have not begun within six months of his detention.

Arbitrarily lengthy pretrial detention was a problem. According to the NSHR's 2009 report, the MOI did not respect the Punitive Procedures Law in arresting and detaining suspected terrorists. Suspects remained in detention in regions far from their families and for years without trial.

In 2009, following its 2007 report claiming that some police officers detained individuals without justification or threatened them into making confessions or giving information relevant to an investigation, the NSHR called for a neutral party to evaluate defendants' claims of torture to obtain confessions by force.

The CPVPV are required to have a police officer accompany them at the time of an arrest, although conformity to the regulation was sporadic. Particularly in the more conservative Nejd region, the CPVPV accosted, abused, and detained citizens and noncitizens, especially women, for allegedly violating dress and behavior standards.

Amnesty

During the year the king continued the tradition of tempering judicial punishments. The details of the cases varied, but the demonstration of royal mercy sometimes included reducing or eliminating corporal punishment, for example, rather than wiping the slate clean. However, the remaining sentence could be added to a new sentence if the pardoned prisoner committed a crime subsequent to his release. There were pardons or grants of amnesty on special occasions. On August 12, the *Saudi Gazette* reported that the king pardoned 60 inmates from prisons in the Al-Baha region. On September 2, the king reportedly pardoned 60 prisoners in Al-Ahsa Prison as part of his traditional Ramadan pardon.

e. Denial of Fair Public Trial

The 2007 Law of the Judiciary provides that judges are independent and are subject to no authority other than the provisions of Sharia and laws in force. In practice the judiciary was not independent as it was required to cooperate with the executive and legislative authorities with the king as arbiter. Although allegations of interference with judicial independence were uncommon, the judiciary was subject to influence. The courts did not attempt to exercise jurisdiction over senior members of the royal family. There were problems enforcing court orders.

Rather than a penal code, Sharia as interpreted in the country is the basis of the penal system. The Council of Senior Religious Scholars (Ulema), an autonomous advisory body, has the authority to determine how judges should interpret Sharia. The council consists of 21 senior religious jurists, including the minister of justice.

Sharia is not based on precedent and rulings can diverge widely. Judges may base their decisions on any of the four Sunni schools of jurisprudence. In practice judges usually follow the Hanbali School of jurisprudence. Shia citizens use their own legal traditions, namely the Jaafari School, to adjudicate intra-Shia cases involving domestic problems, inheritance, and Islamic endowments and are subject to Sunni jurisprudence in all other disputes.

The military justice system has jurisdiction over uniformed personnel and civil servants charged with violations of military regulations. The defense minister and the king review the decisions of military tribunals. Information on the existence of military tribunals separate from the military court system was not available.

In 2008 the government established a Specialized Criminal Court (SCC) within the existing court system to handle terrorist cases. In a decision to promote judicial efficiency and consistency, the Supreme Judicial Council was given jurisdiction to establish, abolish, and merge courts and specify a court's jurisdiction. The SCC follows the 2007 Law of Criminal Procedure.

In July 2009, without publicizing names or charges, the Ministry of Justice announced that the SCC had tried 330 persons since its creation; almost all were judged in closed trials, the first publicly reported trials since 2003 for terrorism offenses. Seven of the individuals were acquitted; sentences for the others ranged from fines to the death penalty.

Trial Procedures

Laws and regulations state that defendants should be treated equally in accordance with Sharia. The Law of Criminal Procedure states that court hearings shall be public; courts may be closed at the judge's discretion, and many trials during the year were closed. According to the Ministry of Justice, a trial may be closed depending on the sensitivity of the case to national security, the reputation of the defendant, or the safety of witnesses.

According to the Law of Criminal Procedure, there is neither presumption of innocence nor trial by jury. The law provides defendants the right to be present at trial and to consult with a lawyer during the investigation and trial who may present arguments in criminal courts. According to the HRC, at the government's discretion, an attorney may be provided to indigents at public expense. Defendants also have the right to confront or question witnesses against them and present witnesses in their behalf. However, the court presents the witnesses. The Law of Criminal Procedure provides that a CIPP-appointed investigator questions the witnesses called by the litigants before the initiation of a trial and may hear testimony of additional witnesses he deems necessary to determine the facts. There is no right to access to government-held evidence. Defendants may request to review evidence, and the court decides whether to grant the request. The court must inform convicted persons of their right to appeal rulings.

Sharia as interpreted by the government extends these provisions above to all citizens and noncitizens; however, the law and practice discriminate against women (see section 6), nonpracticing Sunni, Shia, and persons of other religions. For

example, judges may discount the testimony of nonpracticing Sunni Muslims, Shia Muslims, or persons of other religions; sources reported that judges sometimes completely ignored testimony by Shia.

On October 25, the *Arab News* reported and government sources confirmed that the High Court on September 25 rejected an appeal in Rizana Nafeek's death sentence case. In 2007 a court convicted Nafeek, a Sri Lankan domestic worker, of killing an infant in her care; she had no legal representation, and an initial appeal hearing revealed that her interpreter may not have been qualified.

Political Prisoners and Detainees

National security interests made it impossible to ascertain the legal basis for detention and whether it complied with international human rights norms and standards. Accordingly, the number of political prisoners or detainees who reportedly remained in prolonged detention without charge could not be ascertained during the year. The government asserted that secret detentions were in conjunction with its efforts to combat terrorism. International NGOs, AI in particular, criticized the government for abusing its antiterrorism prerogatives to arrest some members of the political opposition. Security detainees were not given the same protections as other prisoners or detainees. Security suspects arrested by the internal security police remained incommunicado in special prisons during the initial phase of investigations, which could last indefinitely. Authorities restricted family and legal access to detainees; no international humanitarian organizations had access to them.

According to a March 23 HRW report, in November 2009 the domestic intelligence service arrested Munir Jassas, a Shia government critic who operated the "Tahera" Internet forum and allegedly commented publicly on articles critical of the royal family. He told his wife he had been arrested and held in solitary confinement for four months because of his Internet writings. He remained detained without charge at year's end.

Civil Judicial Procedures and Remedies

Rather than Sharia courts, specialized tribunals in the executive branch decide civil disputes relying on regulatory and legislative precepts and provide administrative remedies. These tribunals hear claims against the government and enforce foreign judgments.

On December 19, the *Saudi Gazette* reported that a family had lodged an appeal for the reinstatement of their citizenship with the Riyadh governorate. A tribal elder had stripped them of their citizenship by claiming to government authorities that the head of the family was not a Saudi citizen, reportedly in retaliation for a dispute over a bride. The case was pending at year's end. Contacts reported that the enforcement of civil court orders was problematic in the country.

Claims for damages or an end to human rights violations can also be brought to the Higher Administrative Court, which specializes in cases against government departments and reports directly to the king. There were no reports of any such cases during the year or in the previous year. Instead, complainants generally referred their cases to the HRC, which either advocated on their behalf or provided courts with opinions on their cases. The HRC was generally responsive to complaints; domestic violence cases were the most common. During the year the HRC's caseload included 36 cases involving women seeking nationality for their children, 32 cases of women desiring to work or seeking a safe work environment, and 30 domestic abuse cases. The HRC took up the case of Hadi al-Muti, sentenced to an additional five years' imprisonment for criticizing the country's judicial system and human rights record (see section 2.a.).

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

The Basic Law and royal decrees provide that residences are inviolable and may not be entered or searched without their owner's permission, except in cases set forth in the law. Laws and regulations prohibit officials from intercepting mail and

electronic communications, except when deemed necessary during internal security and criminal investigations; in such cases police must demonstrate reasonable cause and obtain permission from a provincial governor. The Basic Law provides for the privacy of correspondence. The Criminal Procedure Law requires authorities to obtain a warrant before searching a residence or a court order before perusing personal correspondence and documents.

In practice the government used the considerable latitude provided by the law to monitor situations legally and interfere where security, religion, or other national interests were deemed to be involved.

For example, the government strictly monitored all political activity and took punitive actions, including arrest and detention, against persons who appeared to oppose the government. There were reports from human rights activists of government efforts to monitor or block mobile telephone or Internet usage ahead of planned demonstrations. The government did not respect the privacy of correspondence or communications. Customs officials routinely opened mail and shipments to search for contraband. In some areas MOI informants reported "seditious ideas," "antigovernment activity," or "behavior contrary to Islam" in their neighborhoods.

On August 2, according to the NGO Arabic Network for Human Rights, members of the MOI's investigation service raided the farm of prominent Shia preacher Muhammad Muhammad Ali al-Emary in Medina, confiscating materials with Shia slogans and arresting al-Emary and his son, Kazim. Al-Emary's ranch includes a mosque and is considered a prominent Shia religious center in Medina.

The CPVPV enforced strict standards of behavior; however, since there are no clear standards for what constitutes improper attire or prohibited gender mixing, enforcement of these rules was arbitrary. On March 17, the *Saudi Gazette* reported that the CPVPV allegedly assaulted a man in Medina and held him inside a restaurant because his trousers were regarded as "immoral." Police took him into custody, held him at the police station for four hours, and then released him on bail. The CIPP was investigating the case.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The government actively impeded criticism and monitored citizens' political activity. The law forbids apostasy. All public employees are enjoined from "participating, directly or indirectly, in the preparation of any document, speech, or petition; engaging in dialogue with local and foreign media; or participating in any meetings intended to oppose the state's policies."

During the year authorities released university professor Sa'id Bin Zu'air from prison, according to the NSHR. According to AI, he was arrested in 2007 on charges of financially aiding terrorists; other sources claimed he was arrested to prevent him from appearing on Al Jazeera television and criticizing the government.

In September 2009 Hadi al-Mutif, a Shia imprisoned since 1994 for apostasy, received a further five-year sentence for statements on a smuggled video tape criticizing the judicial system and the government's human rights record. He reportedly remained incarcerated in solitary confinement at year's end.

The government owned most print and broadcast media and book publication facilities in the country, and members of the royal family owned or influenced those that were privately owned and nominally independent, including various media outlets and widely circulated pan-Arab newspapers, such as *Ash-Sharq Al-Awsat* and *Al-Hayat*. The government owned, operated, and censored most domestic television and radio outlets. Privately owned satellite television networks headquartered outside the country maintained local offices and operated under a system of self-censorship. Many other foreign satellite stations broadcast a wide range of programs into the country. Foreign media are subject to licensing requirements from the MOI and cannot operate freely.

The legal structure permitted the government broad leeway in controlling the media through lawful controls on newsprint, printing presses, licensing, and media content. The Ministry of Culture and Information must approve the appointment of all senior editors and has the authority to remove them. The government provides guidelines to newspapers regarding controversial issues. A 1982 media policy statement urges journalists to uphold Islam, oppose atheism, promote Arab interests, and preserve cultural heritage. The governmental Saudi Press Agency reports official government news.

All newspapers in the country must be licensed by the government. Media outlets can legally be banned or publication temporarily halted if the government assesses that they promote "mischief and discord, compromise the security of the state and its public image," or "offend a man's dignity and rights"; these formulations provide the government with latitude in using the law to define public discourse. The government continued to restrict freedom of speech and press by interrupting publication and dissemination of news sources critical of the royal family or of Islam.

Journalists occasionally faced harassment and intimidation through phone calls or e-mails. The government could ban writers critical of the religious establishment, the government's activities, or the royal family from publishing. On February 14, the government banned journalist Muhammad al-Retyan from writing for *Al-Watan* after he wrote an article that negatively reflected on the visa issuance process in the country and indirectly criticized the system of privileges for relatives of the royal family.

The government directly or indirectly censored or restricted media content through laws or other mechanisms. The Law of Printed Materials and Publication governs printed materials; printing presses; bookstores; import, rent, and sale of films; television and radio; and foreign media offices and their correspondents. All media activities are subject to the MOI's prior censorship and licensing requirements. On January 27, according to the NGO Committee to Protect Journalists (CPJ), the government-run satellite operator Arabsat cut the Iranian-owned Arabic-language satellite channel Al-Alam off the air without prior notice. Al-Alam had criticized the government's involvement in the insurgency in Yemen, an Al-Alam spokesman told CPJ. Censorship resulted in situations such as the *Al-Watan* editor in chief Jamal Khashoggi's alleged forced resignation on May 17 after the newspaper published an opinion column questioning the country's adherence to a literal interpretation of the Qur'an (Wahhabism); Khashoggi said that the newspaper "should not have allowed an article to question the essence of our faith."

The Consultative Council (Majlis as-Shura), a 150-member appointed body advising the king, frequently allowed print and broadcast media to observe its proceedings and meetings, but the council closed certain high-profile or controversial sessions to the media.

Foreign and domestic journalists practiced self-censorship. In some cases individuals were able to criticize specific government bodies or actions publicly without repercussions. On January 3, the ACPRA wrote an open letter to the king calling the MOI an "oppressive authority" that had blatantly and unlawfully arrested two peaceful activists. In the aftermath of the November 2009 Jeddah flood, government bodies followed the example of the king who demanded accountability from government bodies that seemed to have poorly handled the flood and its effects. On May 25, the *Saudi Gazette* printed a letter to the minister of education criticizing the lack of vision and clear strategic plan for the country's education. The letter called for greater investment in the latest scientific technologies and in teaching staff.

On October 26, the general court in Qubba sentenced Fahd al-Jukhaidib to two months in prison and 50 lashes for instigating protests against and leading residents to the government electricity company to demand action. Jukhaidib had written a front-page article in *Al-Jazirah*, a daily national newspaper, about public anger over electricity cuts. The case was treated as a security infraction, and the Ministry of Culture and Information was not involved in the prosecution.

On December 5, the MOI arrested Muhammad Abdullah al-Abdulkareem, a professor of law at Imam Muhammad bin Saud Islamic University, for posting an article describing political factions in the royal family on his Facebook page. He remained in detention at year's end.

Authorities prevented or delayed the distribution of foreign print media, effectively censoring these publications.

Restrictions, including censorship, limited the operation of publishing houses. Under the Law of Printed Materials and Publication, every author must provide two copies of a prepublication manuscript to the MOI for approval or rejection.

Although satellite dishes were technically illegal, the government did not enforce restrictions on several million dishes that provided foreign television programming. Access to outside sources of information, such as Arabic and Western satellite television channels and the Internet, was widespread.

Internet Freedom

The government restricted access to the Internet. According to 2009 International Telecommunications Union statistics, approximately 38 percent of the country's inhabitants used the Internet.

The official Communications and Information Technology Commission (CITC) monitored e-mail and Internet chat rooms and blocked sites deemed incompatible with Sharia and national regulations. In addition to designating unacceptable sites, the CITC accepted requests from citizens to block or unblock sites. According to CITC's general manager, authorities received an average of 1,800 requests daily to block and unblock sites. According to the NGO Reporters Without Borders, authorities claimed to have blocked approximately 400,000 Web sites. The government blocked access to and criminalized the publication or downloading of Web sites that it deemed offensive (such as sites involving sex or pornography); contrary to the principles of Islam and social norms, including radical religious sites or sites with controversial religious content (including pages about Hinduism, Judaism, Christianity, and radical Islam); politically sensitive (including human rights); or offensive to the government or members of the royal family. All Web sites registered and hosted in the country must be authorized by agencies of the Ministry of Culture and Information.

On August 23, the CITC reportedly blocked access to Internet sites that were interpreting fatwas in violation of the August 12 royal decree restricting the ability to issue fatwas to the Council of Senior Ulema. Clerics offering fatwas via text messages were also blocked.

The CITC blocked the Web site of ACPRA and previous iterations since ACPRA's inception in late 2009. The Web site of the NGO Human Rights First Society (HRFS) was also blocked throughout the year. ACPRA reported that the sites of Human Rights Monitor in Saudi Arabia and The Platform of Dialogue and Creativity were also blocked.

Social networking Web sites, including Orkut and Hi5, were often blocked; PostSecret and MySpace were blocked intermittently; but Facebook, with approximately three million users in the country, was blocked only once--on November 13.

Access to the Internet was legally available only through government-controlled Internet service providers. Although the authorities blocked Web sites offering proxies, persistent Internet users could work around the blocked sites and continue to access the Internet via other proxy servers.

Individuals and groups were increasingly able to engage in the peaceful exchange of views via the Internet, including e-mail. Throughout the year the government used online media outlets and blogs to float ideas to the public on a range of issues previously not discussed in the country. Readers were allowed to post online opinions on issues ranging from child brides to women cashiers to trafficking in persons, and a wide range of respectfully written opinion was represented.

On June 15, Saudi authorities rearrested Sunni activist and writer Mekhleef bin Daham al-Shammary, allegedly for writing articles critical of anti-Shia policy and clerics attacking Shia, according to HRW. Authorities had previously detained him on May 15 for writing Web site articles such as a January 1 article disagreeing with a Sunni preacher's description of Iraqi Shia leader Ayatollah Ali al-Sistani as an "obscene, irreligious atheist" and an April 23 article concerning religious leaders' insistence on focusing on the morality of mixing genders rather than on pressing problems such as unemployment and poverty. He was subsequently released on bail before he was arrested again on June 15. Government officials stated that al-Shammary was arrested for repeatedly holding political meetings with minority groups, which the government viewed as holding gatherings without a permit. He remained in prison at year's end.

The NSHR confirmed that Raafat al-Ghanem, a popular blogger and founder of a proreform Web site was released from prison during the year. In July 2009 security forces arrested and detained him, presumably for articles criticizing the CPVPV and for signing an appeal for the release of blogger Muhammad al-Otaibi and writer Khaled al-Omair.

The 2007 Law to Fight Cyber Crime imposes up to 10 years' imprisonment and a 4.7 million riyal (\$1.3 million) fine for anyone who creates or disseminates a Web site for a terrorist organization to facilitate communication with leaders of such organizations or promote the organization's radical views. Other laws criminalize defamation on the Internet, hacking, unauthorized access to government Web sites, and stealing information related to national security. By year's end no prosecutions had been reported under these laws despite at least two widely reported instances of hacking; *Al-Watan's* Web site was hacked in November 2009 and September 2010.

The government was able to collect personally identifiable information concerning the identity of persons peacefully expressing political, religious, or ideological opinion or beliefs. The government regularly monitored personal conversations via the telephone, the Internet, or other communication devices.

On August 6, the NGO Reporters Without Borders reported that the country threatened to suspend instant messaging and other Blackberry services because the manufacturer did not provide the country access to the user data, allegedly violating wiretapping laws and threatening national security. At year's end these services had not been blocked.

Academic Freedom and Cultural Events

The government revised elementary and middle school curricula across the board to include more English, science, history, and social studies and to reduce the amount of religious studies. Informants reportedly monitored classroom discussions and reported to government and religious authorities, in part to curb the development of extremist thought at schools and universities. Academics practiced self-censorship.

Despite self-censorship by organizers, authorities monitored, censored, and closed some cultural events. The government censored public artistic expression and prohibited cinemas and public musical or theatrical performances apart from those considered folkloric and part of a government approved special event. On April 6, the Ministry of Culture and Information permitted a public "blues" music concert at the King Fahd Cultural Center in Riyadh. Approximately 1,000 men and women attended the mixed-gender event.

On April 23, the *Saudi Gazette* reported that from February 18 through March 1, the country participated in Jeddah's Asian Film Festival by screening local films to reflect traditions and culture. However, the events were open by invitation only. In July 2009 the government canceled the widely advertised fourth annual Jeddah Film Festival, after temporarily lifting a restriction on the public showing of films with the screening of a movie in Jeddah and Taif in 2008. Local authorities continued to force closings of social forums in the majority-Shia region of Al-Ahsa.

The ultra-conservative Al-Imam Muhammad bin Saud Islamic University in Riyadh, the principal training institution for judges and imams, hosted a week-long art exhibition entitled "Picturing America."

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The Basic Law does not provide for freedom of assembly, which the government strictly limited in practice.

Public meetings were usually segregated by gender. Meetings of the Jeddah Chamber of Commerce and Industry and some other commercial and medical events included both men and women. Authorities monitored large nonfamily gatherings, particularly if women were present. The CPVPV dispersed any large nonfamily groups in public places, such as restaurants. Men and women could mix in restaurants of Western luxury hotels that catered primarily to noncitizens and in the family sections of an increasing number of restaurants, which generally ceased the practice of checking identification cards for relationship status.

Security forces usually denied demonstration requests and disrupted and dispersed demonstrators or would-be demonstrators during the year. There were no government-permitted, peaceful political demonstrations during the year. It was a crime to participate in unauthorized public assemblies. On June 14 and on December 22, according to the ACPRA, the MOI prevented a public sit-in in Riyadh demanding that Israel lift the Gaza blockade and protesting prolonged detentions of human rights activists. On December 21, the MOI summoned the sit-in organizers for questioning but released them. The *Saudi Gazette* reported on August 30 that 200 unemployed university graduates staged a protest outside the Ministry of Higher Education in Riyadh demanding jobs.

In January 2009 police arrested Khaled al-Omair, Muhammad al-Otaibi, and at least 21 others in Riyadh and detained them in unknown locations after the men attempted to protest Israel's military action in Gaza through a public sit-in. Their whereabouts were later revealed, and in late June 2009 the government charged al-Omair and al-Otaibi with participating in a protest. The charges subsequently were dropped, although 10 of the men (including al-Omair and al-Otaibi) remained in detention at year's end without publicly known charges (see section 1.c.).

In late February and early March 2009, security officers arrested more than 50 Shia citizens, including children, in the Eastern Province for engaging in a peaceful demonstration in solidarity with Shia arrested in the Medina clashes. Authorities held more than 24 individuals until July 2009, when the king granted a pardon.

Freedom of Association

The Basic Law does not provide for freedom of association, and the government strictly limited this right in practice. 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 MOI and comply with its regulations. Groups that hoped to change some element of the social or political order reported that their licensing requests went unanswered. The MOI reportedly used arbitrary means, such as requiring unreasonable types and quantities of information, effectively to deny associations licenses.

At year's end the government had not licensed the HRFS, whose founder, Ibrahim al-Mugaiteeb, applied for a license in 2002. The government continued to permit its informal operation, but since the group was formally "unlicensed," it remained unclear which activities were permitted and which could draw government criticism or punishment. Without a license the group was unable to raise operating funds, which severely limited its activities.

In October 2009 the newly founded ACPRA wrote an open letter to the king to announce its purpose to promote human rights awareness in society and educate citizens on basic freedoms as elaborated in the Universal Declaration of Human Rights. The ACPRA reportedly did not apply for a license, given the presumed unlikelihood of one being issued, according to one of the group's founders. The 11 founding members of the organization were academics and human rights activists. The group had previously been operating as the Human Rights Civic Society Saudi Arabia organization, which was also unlicensed.

Government-chartered associations observe citizen-only limitations. For example, the Saudi Journalists Association, which operates under a government charter, did not give voting rights in the organization to noncitizen members and prohibited them from attending the association's general assembly.

c. Freedom of Religion

For a complete description of religious freedom, please see the *2010 International Religious Freedom Report* at www.state.gov/g/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The Basic Law does not contain provisions for freedom of movement within the country, foreign travel, or emigration and repatriation. The government 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. The UNHCR's regional office in Riyadh managed operations in Bahrain, Kuwait, Oman, Qatar, and the United Arab Emirates. The regional office focused on public awareness, fundraising, refugee status determination, and durable solutions for refugees.

Generally the government did not restrict the free movement of male citizens within the country or the right of citizens to change residence or workplace, provided they held a national identification card (NIC). The law requires all male citizens 15 years of age or older to hold an NIC. For women the NIC was optional, reflecting the different status of female citizens, and could be issued only if a woman's male guardian (grandfather, father, uncle, brother, husband, son, or nephew) consented in writing to its issuance or if she already held a valid passport, also issued only with a guardian's consent. Any transaction with a government agency or public institution required presentation of the NIC. During the year the government continued to issue NICs to women, despite opposition from religious conservatives. The government imposed restrictions on women's freedom of movement by prohibiting them from driving motor vehicles. The guardianship system requires a woman to have the permission of her male guardian to work or move freely in the country (see section 6).

There are 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 and minors (younger than 21 years old) require a male guardian's consent to have a passport and to travel abroad. 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 and male family members can "blacklist" women and minor children, prohibiting their travel. In cases involving custody disputes, the male guardian is legally able to prevent even adult children from leaving the country.

According to a May 11 *Arab News* report, noncitizen Nazia Qazi succeeded in leaving the country. She had reportedly entered the country in 2007 on a three-month visitor visa to visit her father, who, without her knowledge, asserted his guardianship over her during the visit by submitting sponsorship documents, confiscated her Indian and Canadian passports, and refused to apply for her exit visa, without which she had not been allowed to leave the country.

On July 21, the *Arab News* reported that a woman urged the MOI Passport Directorate to issue her a new passport because her husband had taken her passport, withdrawn his written permission allowing her to travel, and had absconded to another Arab country along with their children, leaving her unable to follow. At year's end no further information was available.

The government continued to impose travel bans on some social or political reform advocates. During the year the government revoked the rights of some citizens to travel outside the country for political reasons but did not provide them with notification or opportunity to contest the restriction.

During the year the government reinstated the right to travel for human rights activist and lawyer Abdulrahman al-Lahem. His travel ban had been in effect since 2004. In 2008 the government had prevented al-Lahem from traveling outside the country to receive two human rights awards.

On February 12, authorities reportedly prohibited Fahad al-Orani, one of the cofounders of ACPRA, from leaving the country due to an ongoing travel ban. Authorities also imposed travel bans on Abdullah al-Hamed, a former professor and cofounder of ACPRA, and Matrouk al-Faleh, released in February 2009 after 235 days in arbitrary solitary detention.

On March 2, according to the international human rights NGO FrontLine Defenders, Riyadh airport authorities confiscated human rights Internet activist Muhammad Saleh el-Beady's passport and informed him of a travel ban from July 2009 that he thought had been lifted.

On November 3, the ACPRA announced its intent to file a lawsuit against the MOI for "imposing unjust and arbitrary travel bans" without a judicial ruling in violation of the Basic Law.

Movement and travel of foreign workers remained under the complete control of their employers or sponsors, who held their passports and were responsible for processing residence permits on their behalf.

The government did not use forced exile, but it has previously revoked the citizenship of opponents of the government who resided outside the country.

There are no prohibitions on the return of citizens who have left the country. The government sometimes confiscated passports of suspected opposition members and their families, thereby restricting their freedom to travel.

Protection of Refugees

The country is not a party to the 1951 Convention relating to the Status of Refugees or the 1967 Protocol relating to the Status of Refugees. The Basic Law provides that the "state will grant political asylum if public interest so dictates." The country has no legislation implementing this provision, and therefore the UNHCR is mandated to manage refugee and asylum matters. A temporary stay by UNHCR-recognized refugees is permitted pending identification of a durable solution. The government generally does not grant asylum or accept refugees for settlement from third countries. Government policy is not to grant refugee status to persons who are in the country illegally or who have overstayed a pilgrimage visa. The government strongly encourages persons who do not have residency to leave, and it threatens or imposes deportation. Access to naturalization is difficult for refugees. During the year the UNHCR registered more than 580 refugees in the country.

In law and practice, the government provided some protection against the expulsion or involuntary return of refugees to countries where their lives or freedom would be threatened because of race, religion, nationality, membership in a particular social group, or political opinion. Refugees with no residence permit are subject to payment of a fine at the time of departure.

Access to basic services, including health care and social services, is reserved for citizens. Refugees' only access to basic services is through the UNHCR. The government did not allow the enrollment of refugee children in public elementary schools. Refugees and asylum seekers are unable to work legally. The UNHCR office in Riyadh provided subsistence allowance to vulnerable families based on a needs assessment. Refugees did not have access to courts. There were no reports of mistreatment of refugees and asylum seekers.

According to a UNHCR representative, since 1991 the UNHCR has facilitated the safe and voluntary refugee resettlement to third countries of more than 25,000 Iraqis and an estimated 300 Eritreans.

Stateless Persons

The country has a significant number of habitual residents who are legally stateless; data on the stateless population are scarce, and the government was not open to discussing the matter. The UNHCR unofficially estimated that there were 70,000 to 100,000 stateless persons in the country, almost all of whom were native-born Arab residents known as Bidoon; there were also some Baloch and West Africans.

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. Since they were noncitizens, Bidoon were unable to obtain passports and had no ability to travel abroad. Their lack of citizenship 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 took steps to admit Bidoon children to school. The government issued 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 government enforces an Arab League directive against naturalizing the estimated 500,000 Palestinian residents, so they will not "lose their Palestinian identity" and will "preserve their right of return."

Several scenarios lead to statelessness of children under the Nationality Law: (1) A child born before his parents are married is not affiliated with his father legally, even if the father has recognized the child, and therefore is stateless; (2) When identification documents are withdrawn from a parent, the child also loses his or her identification and accompanying rights (this could happen when a naturalized parent denaturalizes voluntarily or loses citizenship through other acts); (3) Children of a citizen mother and a noncitizen father are without nationality, unless the father transfers his foreign nationality to the child; and (4) Children of a citizen father and a noncitizen mother are noncitizens, unless the government has authorized the marriage of the parents in advance. In addition when government authorities seize a citizen's NIC, his or her children also lose their legal status and become stateless.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens did not have the right to change their government peacefully. The Basic Law states that the government is established on the principle of consultation (shura) and requires the king and crown prince to hold meetings (majlis), open-door events where in theory any male citizen or noncitizen may express an opinion or a grievance. A prince or other important national or local official can also hold a majlis.

The Basic Law provides citizens the right to communicate with public authorities on any matter. The government interpreted this provision as a right to be exercised within traditional nonpublic means, not by the use of mass media.

In May 2009 a group of 77 human rights civil society activists, including members of the ACPRA, sent a petition to the king condemning secret tribunals, seeking permission for human rights activists to monitor prisons, and demanding political

and judicial reforms, including a constitutional monarchy and the limiting of the terms of appointed royal family members in government posts. The petition was copied to the Royal Diwan and 20 senior officials.

Elections and Political Participation

The Basic Law establishes monarchy as the political system. According to the family monarchy system enshrined in the Basic Law, only a few 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 34 senior princes appointed by the king, is responsible for selecting a king and crown prince upon the death or incapacitation of either. The king serves as prime minister, and his crown prince serves as deputy prime minister. The king appoints all other ministers, who appoint subordinate officials with cabinet concurrence. The Consultative Council (Majlis as-Shura), a royally appointed 150-member body, advises the king and can propose legislation for further study.

In May 2009 the state news agency reported that the government postponed municipal advisory council (the only elected government office) elections scheduled for later that year to provide more time to study "expanding the participation of citizens in running local affairs." In the 2005 elections, the first since 1963, only male, nonmilitary citizens at least 21 years old were eligible to vote. There were no independent election observers. Unofficial estimates were that between 10 and 15 percent of eligible voters actually voted. The king completed the formation of the councils in 2005 by appointing the other half of the council seats.

Laws and traditional and cultural practices requiring strict segregation of genders encompassed every aspect of life; however, women increasingly participated in political life, albeit with significantly less status than men. During the year the number of female advisors on the Consultative Council increased from 10 to 13, according to local sources. There were no women on the High Court (women's ability to practice law is limited) or on the Supreme Judicial Council. There was one woman in a cabinet-level position, as deputy minister for women's education. On September 7, the *Saudi Gazette* reported that two women were appointed to the board of the Eastern Chamber of Commerce in the Eastern Province after three female candidates running for the election gathered an insufficient number of votes. In October 2009 the Jeddah Chamber of Commerce and Industry reelected one woman to its board of directors; she was chosen as vice chairman of the board. Two more women were appointed for a four-year term.

There are no laws that prevent minorities from participating in political life on the same basis as other citizens, but the dominant societal norms marginalize the Shia population. The Consultative Council included only five Shia members. There were no religious minorities in the cabinet. At year's end there were some Shia judges, all in the Eastern Province.

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption by government employees. The government did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. There were reports of government corruption during the year, and the World Bank's Worldwide Governance Indicators reflected that corruption was a problem. There was widespread public perception of corruption by some members of the royal family and the executive branch of the government. During the year the government did not make publicly available information concerning specific instances of corruption, allegations regarding corruption, or government actions against corruption. However, on November 27, the *Saudi Gazette* reported that the Board of Grievances overturned 30 percent of all decisions rendered by government bodies during the year for overstepping their authority and other irregularities. Decisions from the Ministries of Health, Municipal and Rural Affairs, Transportation, Hajj, Education, and the Passports Department were affected. In 2008 the Consultative Council asked ministers to appear for questioning in exercise of its oversight responsibility, although some, notably the minister of finance, did not appear. There was no similar exercise in 2009. In 2008 the Court of

Grievances delivered 2,695 verdicts on 1,368 criminal cases and 1,327 disciplinary cases against public officials and agencies.

On April 18, *Al-Watan* reported that the Board of Grievances in Riyadh began trials for 14 staff members of the Ministry of Justice in Jeddah on charges related to the abuse of power. They were allegedly involved in counterfeiting official documents concerning land belonging to King Abdullah University for Science and Technology. There was no further information available at year's end.

On September 21, the *Saudi Gazette* reported that a Medina Control and Investigation Board report revealed financial and administrative corruption and abuse of power by senior officials at the Medina branch office of the Ministry of Hajj. Violations identified included appointment of unqualified employees to high-ranking positions, nepotism, and abuse of government property.

Throughout the year the media reported investigations of municipal offices and government officials concerning the extensive damages of the 2009 Jeddah flood. Articles reported on the Court of Grievances' trials and on the court order to close the office of Jeddah's assistant mayor in the high-profile probe. In December 2009 the *Saudi Gazette* reported interim results of the king's order for an investigation into the reasons for the extensive harm caused by the flood, which was reportedly more destructive because bribe taking and corruption in construction, contracting, and land deals led to improper building and engineering. The government detained and investigated 30 officials and contractors for their involvement in facilitating land ownership and approving government projects in flood zones. On November 25, the files of 20 government employees and contractors were referred to the Board of Grievances on charges of bribery, forgery, illegally profiting from a public position, abuse of power, deception, and breach of trust in connection with the 2009 Jeddah floods. Another group of suspects was under investigation and pending referral to the court.

As of August 2009, the Jeddah Administrative Court had postponed the issuance of a verdict three times in a Taif municipality corruption and bribe-taking scandal totaling 1.4 million riyals (\$373,000). In 2008 the court had convicted 16 Taif municipality employees. Sentences included prison, dismissal from employment, and fines. Seven others accused were absolved of all charges, and two private businessmen were fined 150,000 riyals (\$40,000) each. Appeals continued at year's end.

In 2008 the *Arab News* requested an investigation into corruption involving contracts for the construction of roads, highlighting a project for which the government paid 698 million riyals (approximately \$186.1 million) and ultimately performed for only 18.2 million riyals (\$4.9 million). There was no investigation.

The MOI nominates the members of and administratively houses the Prosecution and Investigation Commission, a nominally independent body reporting to the Council of Ministers, that investigates cases of corruption against public service officials. During the first half of 2008, the commission considered 12,466 cases involving public service officials and agencies. The commission identified instances of forgery, bribery, and public mistreatment, among other forms of misconduct. There was no new data from the commission concerning additional cases of corruption at year's end.

Government employees who accept bribes face 10 years in prison or fines up to one million riyals (approximately \$267,000). Public officials were not subject to financial disclosure laws.

The law does not provide for public access to government information, including precision in sources of state revenue and expenditures, 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 Basic Law provides that "the State shall protect human rights in accordance with the Islamic Sharia"; however, there were government restrictions on, and the government sometimes did not cooperate with, domestic and international human rights organizations in investigations of alleged violations of human rights.

The MOI licensed one domestic human rights organization, the NSHR, funded through a trust fund from a member of the royal family. The NSHR received requests for assistance and complaints about government actions affecting human rights. The government accepted the group's advice and opinion and sometimes accepted its recommendations.

There were at least two unlicensed, active human rights groups, the HRFS and the ACPRA. The government viewed these groups with suspicion and as illegitimately meddling in government affairs. A third, less active group, the National Saudi Committee of Human Rights, has tried unsuccessfully to register since 2003, according to HRW.

On August 11, *Okaz* reported that the NSHR and Majid Garoub's law firm jointly organized a 10-day human rights training course for 22 law graduates. The training included information on institutions of litigation, the Consultative Council, human rights campaigns, the judiciary, work and rights of women in Islam, the Law of Criminal Procedure, and other topics.

The government viewed international human rights NGOs with suspicion. The HRC stated that the government welcomed the visits of legitimate, unbiased human rights groups but added that the government could not act on the "hundreds of requests," in part because it was cumbersome to decide which domestic agency would be their interlocutor.

In 2009 the government privately invited some HRW staff members to visit the country, but the government reportedly did not permit them to conduct research or visit any institutions. HRW's 2008 formal request to visit the country to observe trials of terrorism suspects remained pending at year's end. A 2008 HRW visit, facilitated by the HRC, focused on the review of four HRW reports with 11 ministries but did not permit independent research.

From April 17 to 19, UN High Commissioner for Human Rights Navanethem Pillay visited the country as part of a tour of the Gulf region. During her visit she remarked on the "growing effectiveness" of the national human rights organizations, including the HRC, the NSHR, and the National Family Safety Program (NFSP), in the country. At the same time, she noted the importance of freedom of association, assembly, and expression; the continuation of discriminatory barriers hampering women's rights to shape their lives and fully participate in public life; and the need to protect the rights of vulnerable migrant workers, including replacement of the sponsorship system. On December 27, a delegation of the Office of the High Commissioner for Human Rights visited the country to consult with the HRC, the Ministry of Justice, the Consultative Council, and other government institutions on human rights issues. In 2008 the government permitted the visit of UN Special Rapporteur on Violence against Women Yakin Ertuerk.

The government-funded HRC acts as the government's voice on human rights; its president has ministerial status and reports to the king. According to the NSHR's 2009 report, the HRC "met with weak collaboration on the part of some governmental bodies in spite of the issuance of royal directives." The adequately resourced HRC was considered effective in highlighting problems but had limited capacity to effect change. The HRC worked directly with the king, with a committee composed of representatives of the Ministry of Labor, Consultative Council, MOSA, MOI, and with the Consultative Council's Committee for the Judiciary, Islamic Affairs, and Human Rights.

The HRC launched a four-year human rights awareness campaign in January that includes extensive outreach at popular festivals, schools, and universities, and liaison work with embassies and through its offices in various parts of the country. On July 27, the HRC provided a two-day training course on human rights issues, regional and international agreements, and their reference to the rights of women and children. On October 13, the HRC held a workshop for several government ministries and NGOs to establish a long-term human rights strategy for the country and promote partnerships to eliminate discrimination and human trafficking. On October 26, the HRC president visited the International Labor Organization (ILO)

in Geneva to discuss cooperation on trafficking in persons and labor issues. On December 7, the HRC's women's section hosted a workshop at Prince Sultan University's School of Law to promote human rights concepts, explain international human rights laws to which the country is a signatory, and address legal means available to abused women and the need for more shelters. On December 21, the HRC hosted a first-of-its-kind human rights symposium bringing together government ministries, the HRC, the NSHR, and delegates from labor-sending and Western diplomatic missions to collaborate on building human rights awareness and cooperation to combat human trafficking.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, and Sharia traditions emphasize human dignity regardless of gender, color, or race. The government generally effectively enforced prohibitions on disability, language, or social status but did not effectively enforce laws prohibiting discrimination based on race.

Women

Rape is a punishable criminal offense under Sharia with a wide range of penalties from flogging to execution. Generally the government enforced the law based on its interpretation of Sharia, and courts punished both the victim and the perpetrator. The government views marital relations between spouses as contractual and did not recognize spousal rape. By law a female rape victim is at fault for illegal "mixing of genders" and is punished along with the perpetrator. Statistics on incidents of rape were not available, but press reports and observers indicated rape against women and boys was a serious problem. The government did not maintain public records on prosecutions, convictions, or punishments. Most rape cases were unreported because victims faced societal reprisal, diminished marriage opportunities, possible imprisonment, or accusations of adultery. For example, on January 20, the NGO Migrant Rights reported that authorities arrested a Filipina who claimed to have been raped by a Bangladeshi coworker and detained her at Hafer Al Baten Central Jail for having an illicit affair. Her employer contacted the government to have her repatriated, and her pregnancy was discovered during the mandatory repatriation physical exam. On November 22, *Arab News* reported that police arrested two accomplices and were seeking the perpetrator of a gang rape. The perpetrator had established an online relationship with a woman and set up a meeting at an apartment where he and his friends raped her and then dropped her at a hospital. The victim was also considered a perpetrator and punished.

There were no laws criminalizing violence against women. Officials stated that the government did not clearly define domestic violence and that procedures concerning cases, and accordingly enforcement, varied from one government body to another. In the NSHR's 2009 annual report, in which it investigated 257 cases of domestic violence and violations of women's rights, violence was reported against both men and women and included a broad spectrum of abuse. The government made efforts to combat domestic violence, and the HRC conducted outreach activities at the March Al-Janadriya Cultural Heritage Festival and at the November Children's Festival to educate the public on domestic violence issues as part of its four-year campaign to raise awareness of human rights issues.

The government supported family protection shelters, although societal criticism for helping women "flee" without properly investigating cases reduced the shelters' effectiveness, according to a July 2009 *Arab News* report. For example, on October 25, 29-year-old divorced Samar al-Badawi was released from Jeddah's Briman Prison after being held for seven months, ostensibly for disobeying her father regarding her choice of marriage partner. She was released after winning a countersuit to her father's disobedience suit, asking the court to terminate her father's guardianship based on physical and verbal abuse. In 2008 she had fled her father's home to reside in a shelter, was returned to the father's home, and fled to live with another relative. Badawi's father appealed the court's decision, and on October 18, the Supreme Judicial Council stated that it would investigate the lawfulness of the court proceedings. No further information was available at year's end.

During the year the HRC fielded complaints of domestic abuse and referred them to other government offices. The HRC's women and children's branch in Riyadh received 233 complaints during the year, 13 percent of which were domestic violence cases. On August 12, HRW requested the HRC intervene on behalf of Aisha Ali, a divorced mother of three whose guardian brothers reportedly forcibly confined her, beat her, and forced her into five subsequent marriages to which she did not consent. Authorities placed her in a temporary shelter for three months but allegedly returned her to her brothers.

The media carried infrequent reports of sexual harassment as a social phenomenon. The extent of sexual harassment was difficult to measure. The government's interpretation of Sharia guides courts on cases of sexual harassment. Workplaces maintained separate male and female workspaces where feasible. On January 25, a court in Rass sentenced Sawsan Salim to 300 lashes and one-and-one-half years in prison for filing "spurious" harassment complaints against government officials in court and for "visiting government offices without a male guardian," according to HRW. One of the two judges deciding the case was one of the officials against whom she complained of harassment.

The women's branch of the HRC in Riyadh, according to a December 14 report in the daily newspaper Okaz, dealt with 233 cases, in the previous 12 months advising complainants and offering legal assistance to some women litigants. The organization provided facilities for their children distributed publications supporting women's rights in education, health care, development, work opportunities, and the rights of those with special needs.

There were no reports of government interference in the right to decide freely and responsibly the number, spacing, and timing of children. However, decisions regarding access to contraceptives, family size, and procedures involving reproductive and fertility treatments require by law the consent of both husband and wife. The information and means to make those decisions, as well as skilled attendance during childbirth, were freely available. Women had ready access to essential prenatal, obstetric, and postpartum care. According to statistics compiled by international organizations, there were approximately 24 maternal deaths per 100,000 live births in the country in 2008. Information was not available regarding equal diagnosis and treatment of sexually transmitted infections, including HIV.

Discrimination against women was a significant problem. After her 2008 visit, the UN special rapporteur on violence against women, while acknowledging progress in the status of women and particularly women's access to education, noted the lack of women's autonomy, freedom of movement, and economic independence; discriminatory practices surrounding divorce and child custody; the absence of a law criminalizing violence against women; and difficulties preventing women from escaping abusive environments.

Women continued to face discrimination under the law and remained uninformed about their rights. Although they may legally own property and are entitled to financial support from their guardian, women have few political or social rights, and society does not treat them as equal members. The law prohibits women from marrying non-Muslims, but men may marry Christians and Jews. Women may not marry noncitizens without government permission; men must obtain government permission only if they intend to marry noncitizens from outside Bahrain, Kuwait, Oman, Qatar, and the United Arab Emirates.

The guardianship system requires that every woman have a close male relative as her "guardian" with the authority to approve her travel (see section 1.d.). 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. A husband who "verbally" divorces his wife or refuses to sign final divorce papers continues to be her legal guardian.

Cultural norms restricted women in their use of public facilities. When unrelated men are present, women must sit in separate, specially designated family sections. They are not allowed to consume food in restaurants that do not have such

sections. Women risk arrest for riding in a vehicle driven by a male who is not an employee or a close male relative. On September 13, *Okaz* reported that women were allowed to attend Eid-al-Fitr celebrations at a football stadium in Hail. Football stadiums previously were completely off-limits to women.

During the year extremists targeted one cultural establishment that sought to integrate women in its cultural activities. On February 28, according to press reports, the Al-Jouf Culture Club, whose president also received a cell phone text message death threat, was burned for the second time in two years. The club had cancelled a February 23 event entitled "Criticism of women in the Kingdom: Reality and Aspirations." Unknown persons previously set the building on fire in January 2009 after the club hosted poetess Halima Muzafar.

On June 5-11, the Al-Baysalan Art Center in al-Khobar in the Eastern Province featured a photography show entitled "Through Her Eyes," which was open to men and women.

Cultural norms require women to wear an abaya (a loose-fitting, full-length black cloak covering the entire body) in public and to conceal their hair. The CPVPV generally expected Muslim women to cover their faces and non-Muslim women from other Asian and African countries to comply more fully with local customs of dress than non-Muslim Western women. In rural areas and smaller cities, women adhered to the traditional dress code of covering the entire body, hands, feet, hair, and face.

Women also faced discrimination in courts, where the testimony of one man equals that of two women. Female parties in court proceedings such as divorce and family law cases normally deputized male relatives to speak on their behalf. However, they have the option to speak for themselves. In divorce proceedings women must demonstrate legally specified grounds for divorce, but men can divorce without giving cause. In doing so men are required to pay immediately an amount of money agreed upon at the time of the marriage that serves as a one-time alimony payment. Women who demonstrate legal grounds for divorce also are entitled to alimony.

Women faced discrimination under family law and under Sharia inheritance law. Courts awarded custody of children when they attained a specified age (seven years old for boys and nine years old 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. Under Sharia inheritance laws, daughters receive half the inheritance awarded to their brothers.

Women had access to free, but generally segregated, education through university level and constituted more than 58 percent of university students. The exception to segregation in higher education was the King Abdullah University of Science and Technology, a coeducational graduate-level research university that opened in September 2009, with women permitted to work jointly with men, forgo the veil in coeducational classes, and drive cars on campus.

Employment opportunities for women were limited, confined mainly to the education and health-care sectors, although increases were occurring in business and finance, social services, and government ministries. Women cannot work as judges or prosecutors.

The law requires a woman to obtain the permission of a male guardian to work if the type of business is not "deemed appropriate for a woman." A woman cannot accept a job in a rural area unless she lodges with an adult male relative who agrees to act as her guardian. The cultural requirement to separate the genders led to discrimination in employment. On August 26, Sheikh Yousef al-Ahmed called on shoppers to boycott the Panda supermarket chain that employed women cashiers because such employment contradicted Islamic principles and facilitated gender mixing. In response the grand mufti summoned al-Ahmed and ordered him to refrain from issuing unauthorized fatwas.

Despite gender segregation, the law grants women the right to obtain business licenses for work in fields that might require them to supervise foreign workers, interact with male clients, or deal frequently with government officials. In

medical settings and in 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.

On September 20, the *Arab News* reported that women investors urged the minister of education to investigate discriminatory conditions for women wishing to invest in the women's education sector. Reportedly, women investors needed to obtain a clearance certificate from their legal guardian before they could apply for a license and were required to meet 11 conditions, while men needed to meet only five. On July 21, a local woman reported that she was able to obtain a business license to conduct a translation business without needing the consent of a guardian.

In June 2009 the *Saudi Gazette* cited a report by the Riyadh Chamber of Commerce and Industry stating that nearly 250,000 women worked in government departments and 45,000 others in private firms. By mid-2009 the government had established 120 special computer-training centers accredited by the Ministry of Civil Service to help women integrate into the work force.

Children

Citizenship derives from the father, and only the father can register a birth. There were cases of citizen children denied public services, including education and health care, because the government failed to register the birth entirely or immediately. On November 1, the *Saudi Gazette* reported the HRC worked to provide legal documentation to children unable to receive government assistance due to lack of documentation. The number of unregistered births was unknown.

The government provided all citizen children with free education and medical care, but these benefits did not extend to noncitizen children. Gender segregation usually began in public and government-sponsored schools at the age of seven, but treatment and attendance at all educational levels was identical.

Abuse of children was common. In 2009 the NSHR registered 72 instances of violence against children, according to its annual report. The NGO Committee for Social Protection initiated a campaign to train health workers to identify signs of abuse. At least three NGOs--one in Riyadh, one in Qassim, and one in Jeddah--operated shelters for women and children.

On April 1, the NSHR and the NGO NFSP launched a campaign against child abuse to increase awareness of human rights and child abuse. The NFSP works to counter violence against women and children. A NFSP national child abuse and child neglect registry at King Faisal Hospital in Riyadh tracks and assists abused children with treatment and follow-on counseling. On November 27, the NFSP trained doctors and nurses on diagnosing child abuse and neglect. The course addressed roots of violence, social risk factors, assessment, intervention, and child protection legislation. From October 24 to 27, the NFSP trained physicians in Jeddah and Dammam on advanced detection skills for physical and sexual abuse and neglect of children to promote child protection in the country. On July 9, *Arab News* ran an editorial on existing social barriers to addressing child sexual abuse in the country.

The women's branch in Mecca of the HRC, according to a report in the daily newspaper *Okaz*, handled 536 cases during the year, including domestic violence cases, and conducted visits to orphanages and foster homes for girls, as well as the Family Protection Society, the women's Comprehensive Rehabilitation Center, and the women's division at Briman Prison.

Sharia does not specify a minimum age for marriage but suggests girls may marry after reaching puberty. According to the Grand Mufti of the Kingdom, Abdulaziz Al al-Sheikh, girls as young as 10 years old may be married. Families sometimes arranged such marriages, principally in rural areas or often to settle family debts, without the consent of the girl. The HRC and the NSHR reported that child marriages rarely took place. On May 3, the Ministry of Justice issued a regulation requiring marriage registrars to record the bride's age at the time the family applies for the marriage license, allowing for the possibility of review where the ages are vastly different.

All marriages are required to be registered prior to the consummation of the marriage. In 2009 the NSHR president said the government had instructed marriage registrars not to register marriages involving children.

The press reported marriages between children and of girls as young as nine years old being married to men older than 60 years old. On October 6, *Al-Watan* reported that a man in his 50s registered his marriage to a 13-year-old girl in Najran. According to the article, the girl consented to the marriage, which had been arranged by her father.

On April 29, the *Arab News* reported that the August 2009 marriage of a nine-year-old girl to a 69-year-old man had been annulled with the assistance of the governor of Qassim after the return of the 30,000 riyal (\$8,000) dowry. The same article reported that the Buraida court granted a divorce in the August 2009 marriage of a 12-year-old girl to an 80-year-old man; the girl had fled to her aunt's house but was returned to her husband. Reform-minded activists, media, and local human rights organizations continued to call for an end to child marriage.

There is no specific law providing penalties relating to child prostitution, no statutory rape law, and no minimum age for consensual sex. The law prohibits pornography, including child pornography.

Children may not receive social services or attend schools or universities unless they hold NICs or valid residency permits and are properly registered in the family register, requirements that displaced children cannot meet.

The kingdom is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html, as well as country-specific information at http://travel.state.gov/abduction/country/country_3781.html

Anti-Semitism

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

Some vendors at the annual government-sponsored book fair in Riyadh in March offered anti-Semitic publications, including the *Protocols of the Elders of Zion*. Editorial cartoons occasionally exhibited anti-Semitism characterized by stereotypical images of Jews along with Jewish symbols and comparisons of Israeli government actions to those of Nazis, particularly at times of heightened political tensions with Israel. On June 2, daily newspaper *Al-Iqtisadiyya* featured a cartoon of an Israeli flag with a swastika replacing the Star of David flying over a collection of bones, including skull and crossbones, spread across a Star of David. Anti-Semitic editorial comments appeared in government and private print and electronic media in response to regional political events. On September 15, daily newspaper *Al-Madina* showed a caricatured Jew whipping an Arab toward "concessions" in a new round of peace talks.

There continued to be reports that Sunni imams, who receive government stipends, used anti-Jewish, anti-Christian, and anti-Shia language in their sermons. There were reports of imams in the Eastern Province who included calls for divine punishment of Jews as part of special prayers. There were reports that the Ministry of Islamic Affairs dismissed some imams for espousing intolerant ideas. 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 encourage rejection of bigotry and all forms of racial discrimination in their sermons. Unlike in the previous year, there were no reports that prayers were projected over mosque speakers for the death of Jews and Christians.

The government's multiyear project to revise textbooks, curricula, and teaching methods to promote tolerance and remove content disparaging religions other than Islam began in 2007, but it had not been fully implemented by year's end. While more than 83 school districts in 13 provinces participated in the project, there continued to be anti-Semitic passages in

textbooks used throughout the country. The government mandated the removal of controversial terms from school textbooks and the substitution of such terms with the phrase "there is no compulsion in religion." In September the government introduced revised and newly written textbooks across the curriculum for most school grades. Nonetheless, for example, a 2010-11 seventh-grade text contained anti-Semitic language, such as, "The nature of the Jews is duplicity, oath-breaking, and back-stabbing." Anti-Semitic material in Saudi textbooks was used in some schools abroad, some of which may not be funded by the Saudi government. Although textbook reviews and revisions continued at year's end, the revisions were insufficiently extensive to remove all language defaming non-Muslims and pronounced anti-Semitic perspectives.

In May the King Abdulaziz Center for National Dialogue launched a massive public awareness campaign with 10 different public service announcements to promote dialogue, tolerance, and moderation. The announcements were broadcast during primetime television and major soccer matches and addressed a variety of themes, including promoting respect for others to address formal and informal discrimination and for laws and systems, revising teachers' conduct to encourage rather than disparage students, and handling conflicts cooperatively rather than aggressively. Throughout the year 1,555 certified trainers conducted 66 training programs and workshops on "the culture and importance of open dialogue and communication skills" for more than 500 men and women. The workshops addressed all forms of prejudice and tolerance to nonmainstream groups. In 2008 the UN endorsed the king's Interfaith Dialogue Initiative, which brought together prominent officials and religious and academic scholars to discuss interfaith issues. A mix of high-level government and religious officials openly supported this campaign against religious extremism and intolerant language, especially in mosques and schools.

Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

Persons with Disabilities

The law does not prohibit discrimination against persons with physical, intellectual, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services or other areas. There is no legislation mandating public accessibility to buildings, information, and communications. Newer commercial buildings often included such access, as did some newer government buildings. Persons with disabilities had equal access to information and communications; however, special communication devices for persons with sensory disabilities were generally not publicly available.

There was NGO and government activity during the year to improve sign language literacy. During the year the Deaf Club of Jeddah concluded sign-language training of 40 media women and social workers and signed an agreement with the government's Human Resources Development Fund to train 1,500 public and private sector employees in sign language. On September 5, the *Saudi Gazette* reported that the NGO Saudi Society for Hearing Disability launched a campaign to eradicate sign language illiteracy.

Information about patterns of abuse of persons with disabilities in prisons and educational and mental health institutions was not available. The MOSA 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. The government sponsored institutions for the care of paralyzed children in Riyadh and Taif. There were also five houses for vocational rehabilitation, two of which were for girls; three centers for social rehabilitation for those who have severe disabilities; and nine centers for total rehabilitation. The MOSA assisted families who care for relatives with disabilities. The labor law provides that employers of 25 or more employees allocate 4 percent of positions to persons with disabilities.

National/Racial/Ethnic Minorities

Although racial discrimination is illegal, societal discrimination against members of national, racial and ethnic, or tribal minorities was a problem. Foreign workers from Africa and Asia were subject to formal and informal discrimination. The tolerance campaign of the King Abdulaziz enter for National Dialogue sought to address some of these issues (see section 2.c.).

There were numerous cases of assault against foreign workers and reports of widespread worker abuse. There were reports of racial discrimination against persons of non-Arab descent, especially persons of African descent. The Shia minority continued to suffer social, legal, economic, and political discrimination. In an effort to address the problem, the ministries of defense and interior and the National Guard held training courses in recent years for police and law enforcement officers to combat discrimination. There were no reports of training during the year or of the success rate of these programs.

Unlike in 2008 there were no reports in 2009 or during the year of married couples forced to divorce because one spouse was from "inappropriate lineage," that is, a nontribal family or an "inferior" tribe. On January 30, pursuant to a royal order, the High Court in Riyadh reconsidered and overturned the 2007 appeals court decision upholding the forced divorce of Fatima al-Timani and her husband. Al-Timani's half-brothers had successfully filed for her divorce because her husband had lied about his tribal lineage.

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

Under Sharia as interpreted in the country, sexual activity between two persons of the same gender is punishable by death or flogging. It is illegal for men "to behave like women" or to wear women's clothes and vice versa. Consequent to the illegality and severe punishment applicable, there were few reports of societal discrimination, physical violence, or harassment based on sexual orientation, and there was no official discrimination based on sexual orientation in employment, housing, statelessness, or access to education or health care. Sexual orientation could constitute the basis for harassment, blackmail, or other actions. No such cases were reported.

On June 2, a Philippine news Web site reported that the government banned the recruitment of gay and lesbian workers. According to the report, the Saudi Arabian embassy in the Philippines had issued a memorandum to recruitment agencies to screen applicants "so that those belonging to the third sex are excluded."

On July 29, the daily newspaper *Al-Riyadh* reported the arrest of a man dressed in women's clothing near Qatif. He was sentenced to five months' imprisonment and 60 lashes for "imitating women."

On November 8, *Okaz* reported that a Jeddah court sentenced a man, already imprisoned, to 500 lashes, five additional years in jail, and a fine of 50,000 riyals (\$13,000) for "committing homosexual acts," imitating women, possessing pornographic video clips of himself, and publishing obscene photos of himself on the Internet.

In June 2009 Riyadh police arrested and later released 67 men from the Philippines for drinking alcohol and dressing in women's clothing at a private party. Charges pressed were not publicized.

Other Societal Violence or Discrimination

There was no reported violence against persons with HIV/AIDS. On June 12, the *Arab News* reported that the Ministry of Health (MOH) recorded 1,287 new cases of HIV/AIDS, 481 of which were citizens. By law the government deported foreign workers who tested positive for HIV/AIDS upon arrival or 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.

On July 14, the MOH appointed a woman physician as the general manager of the HIV/AIDS program. On September 19, the *Arab News* reported that the MOH added four specialized centers for treating HIV/AIDS in Asir, Medina, Jouf, and Al-Ahsa and 20 clinics for confidential AIDS testing. The Society to Aid AIDS Patients, established in March 2009, was the first NGO of its kind. It worked in collaboration with the MOH's national HIV/AIDS program in Mecca, providing HIV education, voluntary counseling, testing through mobile testing teams, and psychological help; fighting stigma and discrimination against persons with HIV/AIDS; and helping families with HIV-positive relatives to acquire medicine; however, it faced resource limitations.

Section 7 Worker Rights

a. The Right of Association

The labor law does not address the right of workers to form and join independent unions, and there are no labor unions in the country. The government allowed citizen-only labor committees with limitations on the right of association in workplaces with more than 100 employees. The government was heavily involved in the formation and activities of these committees. Workers chose and the Ministry of Labor (MOL) approved committee members. Ministry representatives could attend committee meetings. Committees could make recommendations to company management to improve work conditions, increase productivity, improve health and safety, and recommend training programs. The labor law makes no provision for workers to strike legally and does not prohibit retaliation against strikers.

The government does not allow workers to strike, however some strikes occurred.

For example, on March 23, the *Saudi Gazette* reported that 80 maintenance workers at Habona General Hospital in Najran went on strike to protest a four-month delay in pay and benefits. The hospital was contracting with a new company for maintenance work at the time of the strike and promised that the replaced workers would be paid.

On August 12, the *Arab News* reported that 150 workers went on strike for nine days because they had not been paid in more than six months. The workers lodged a complaint with the ministry, which reportedly resulted in the back payment of two months' wages.

b. The Right to Organize and Bargain Collectively

The law does not protect collective bargaining, and it did not take place. However, on October 23, the HRC president visited the ILO in Geneva to discuss labor law and labor issues, including trafficking in persons, in the country.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The labor law sets forth working conditions and pay, including for children, and thus implicitly prohibits forced labor of all forms. Nonetheless, there were reports that forced or compulsory labor occurred, especially among children and migrant workers. Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

The government engaged in a news campaign highlighting the plight of abused workers, trained law enforcement and other officials on combating trafficking in persons, and worked with labor sending missions on getting information about labor rights to foreign workers. Reports of migrant workers who were subjected to forced labor conditions continued during the year.

The sponsorship system inherently blocks freedom of movement, the right to choice, and the ability to change employers. Many incidents of abuse were reported, including the withholding of passports, restrictions of movement and communication, and nonpayment of wages. According to HRW there were approximately 1.5 million foreign domestic workers in the country during the year, most of them women.

Noncitizens may reside or work in the country only under the sponsorship of a citizen or business. The law does not permit noncitizens to change their workplace without their sponsor's permission, thus forcing the worker to remain with the sponsor until the satisfaction of the contractual terms or to seek the assistance of the embassy to return home. Foreign workers were under the complete control of their sponsoring employers, who held their passports and were responsible for processing residence permits on their behalf, although the country has a law prohibiting the withholding of passports. Sponsors involved in a commercial or labor dispute with foreign employees could ask authorities to prohibit the employees from departing the country until the dispute is resolved. Workers can hire a lawyer or represent themselves in the arbitration or court proceedings to settle the contractual dispute.

The labor law implicitly prohibits forced labor with fines and bans on future hiring on the sponsor violating labor law provisions, but the law does not apply to domestic employees, the largest group of workers susceptible to forced labor conditions. Domestic employees can contact the labor offices of their embassies for assistance as well as the NSHR and the MOL's Migrant Workers' Welfare Department, a department dealing with the welfare of foreign workers. According to the HRC, the Migrant Workers' Welfare Department provides services to safeguard migrant workers' rights and to protect them from abuse. Workers may also apply to the offices of regional governors and may lodge an appeal with the Board of Grievances against decisions from those authorities.

The government did not make public criminal investigations, prosecutions, convictions, or sentences for forced labor offenses under the labor law.

In December 2009 a Web site reported that 40,000 Bangladeshis were deported during the previous nine months because they had overstayed their pilgrimage visas. The country does not permit work or the search for work on pilgrimage visas. According to sources in Bangladesh's Overseas Employment Ministry, the deportations were for provoking labor unrest, strikes, and protesting low wages and poor labor conditions. However, it was unclear if the Bangladeshis had work sponsors and resident status.

d. Prohibition of Child Labor and Minimum Age for Employment

Child labor occurred in the country, most commonly in the form of begging. Saudi children from poor families and foreign children trafficked into the country specifically for this purpose worked as beggars. During the year there were a reported 9,520 child beggars in the country. Children from other countries, primarily Yemen and Ethiopia, were forced into child begging rings, street vending, and family businesses. Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip. There were reports of foreign domestic workers younger than 18 years old, some of whom traveled to the country with forged documents. The MOSA provides services designed to provide every citizen a decent standard of living. Such services are not available for noncitizens, who were likely to be deported.

The labor law states no person younger than 15 years old may legally work unless that person is the only family worker. There is no minimum age for workers employed in family-owned businesses or in other areas considered extensions of the household, such as farming, herding, and domestic service. Children younger than 18 years old may not work in hazardous or harmful industries, such as mining, or industries with power-operated machinery.

A 2008 study commissioned by the King Abdulaziz City for Science and Technology, an independent scientific organization reporting to the prime minister, found that child labor was a growing phenomenon. According to the study,

1.54 percent of children worked, including 2.3 percent in the Eastern Province. In 2008 more than 83,000 children were working on the streets, according to a study by the King Abdullah Institute for Research and Studies reported in *Okaz*. In September 2009 the *Arab News* reported that nine-year-old children were working long hours at the al-Atiqra fruit market south of Riyadh and sometimes moving goods three times their weight. The MOSA did not provide services to noncitizen children. There were orphanages and charities, but assistance was very limited.

The Ministry of Justice has jurisdiction and has acted as plaintiff in the few cases that have arisen against alleged child labor violators. The MOSA maintained special offices in Mecca and Medina to combat the growing problem of child beggars.

e. Acceptable Conditions of Work

There is no national minimum wage. The unofficial private sector minimum wage for citizens was 1,500 riyals (\$400) per month, which appeared to provide a decent standard of living for a citizen worker and family (who also receive various government allowances). The country's estimated 6.3 million foreign noncitizen workers made up approximately 88 percent of the private sector workforce. Their work, wages, living quarters, and working conditions were negotiated and agreed prior to their arrival in the country, except for those who were already in the country and changing sponsors.

Many of these workers, however, arrived to work but found themselves subjected to conditions to which they had not agreed. The MOL reportedly maintained a database of abusive employers who are prohibited from recruiting new foreign workers, but reports indicated that the government did not effectively implement the blacklisting system. The ministry's Migrant Worker's Welfare Department addressed cases of abuse and exploitation. Noncitizen workers were able to submit complaints and to seek help from the 37 offices throughout the country, although the government was not generally responsive. The ministry occasionally banned individuals and companies who mistreated noncitizen workers from sponsoring such workers for five years, although there were no publicly available statistics. The ministry may ban indefinitely employers who have repeated violations. Bilateral labor agreements stipulate conditions on minimum wages, housing, benefits, including leave, medical care, and other topics. Conditions vary depending on the country's relative bargaining leverage. Enforcement was problematic for workers from some countries.

Labor regulations provided 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) based on hours worked; premium pay for overtime at time-and-a-half pay with a maximum of 12 additional hours of overtime; and the labor minister's determination on the maximum number of hours of compulsory overtime. While these standards were enforced for most workers, they did not apply to domestic workers. There were credible reports that female domestic employees were sometimes forced to work 16 to 20 hours per day, seven days per week, with little or no pay. The MOL's Migrant Worker's Welfare Department might assist workers with their claims of nonpayment of wages, as might the sending country's embassy. In some contract disputes, a sponsor held the employee in country until the dispute was resolved to force the employee to accept a disadvantageous settlement or risk deportation without any settlement.

The labor law provides for safety inspections and enables MOL-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 MOH's Occupational Health Service Directorate works with the MOL on health and safety matters. Regulations require employers to protect some workers from job-related hazards and disease, although 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.

Embassy representatives from labor exporting countries stated that the number of cases of abused foreign domestic workers was increasing. During the year hundreds of domestic workers sought shelter at their embassies fleeing sexual

abuse or other violence, and embassies received many reports of abuse. Some embassies from countries with large domestic employee populations maintained safe houses for citizens fleeing situations that amounted to bondage. According to embassy representatives, victims usually sought legal help from police and from embassies to obtain end-of-service benefits and exit visas. Criminal charges against abusive employers were rarely filed.

Many noncitizen workers, particularly domestic employees, were not able to exercise their right to remove themselves from dangerous situations, and employers occasionally left them locked inside the home or threatened them with nonpayment if they left.

On May 30, a Nepalese Web site called for the ministry to investigate labor violations at a large company in Dhahran and Riyadh, claiming that workers had not been paid for months. According to the report, many of the affected workers were in the country illegally, making it difficult for them to leave the company.

On July 10, the *Arab News* reported that Mecca police arrested and questioned a number of demonstrators protesting poor living conditions at the approximately 3,000-man al-Shukiya labor housing compound. Reportedly, police arrested and questioned the compound manager to investigate the veracity of the workers' claims.

In February 2009 the *Arab News* reported the problems of four Pakistani mechanics who were owed six years' wages, end-of-service benefits, return tickets to Pakistan, and medical treatment costs. Although the Preliminary Commission for Settlement of Labor Disputes in Mecca issued a decision in favor of the employees in 2006, at year's end there were no reports that the workers had received their compensation.

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