

UNITED STATES COMMISSION ON  
INTERNATIONAL RELIGIOUS FREEDOM

REPORT ON  
SAUDI ARABIA

MAY 2003

U.S. Commission on International Religious Freedom  
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# United States Commission on International Religious Freedom

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\* Effective March 24, 2003, Ambassador Shirin Tahir-Kheli was appointed Special Assistant to the President and Senior Director for Democracy, Human Rights and International Operations by National Security Advisor Condoleezza Rice. This appointment necessitated Amb. Tahir-Kheli's resignation from the Commission.

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May 2003

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LETTER OF TRANSMITTAL

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UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

*Washington, DC, May 1, 2003*

The PRESIDENT

*The White House*

DEAR MR. PRESIDENT: On behalf of the United States Commission on International Religious Freedom, I am transmitting to you the Commission's Report on Saudi Arabia, prepared in compliance with section 202(a)(2) of the International Religious Freedom Act of 1998, 22 U.S.C. 6401 *et seq.*, P.L. 105-292, as amended by P.L. 106-55 and P.L. 107-228.

We would welcome the opportunity to discuss with you this Report, and the policy recommendations that it contains.

Sincerely,

FELICE D. GAER  
Chair

Enclosure

LETTER OF TRANSMITTAL

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UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

*Washington, DC, May 1, 2003*

Hon. COLIN POWELL

*Secretary of State*

*Department of State*

DEAR MR. SECRETARY: On behalf of the United States Commission on International Religious Freedom, I am transmitting to you the Commission's Report on Saudi Arabia, prepared in compliance with section 202(a)(2) of the International Religious Freedom Act of 1998, 22 U.S.C. 6401 *et seq.*, P.L. 105-292, as amended by P.L. 106-55 and P.L. 107-228.

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UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

*Washington, DC, May 1, 2003*

Hon. DENNIS HASTERT

*Speaker of the House*

*U.S. House of Representatives*

DEAR MR. SPEAKER: On behalf of the United States Commission on International Religious Freedom, I am transmitting to you the Commission's Report on Saudi Arabia, prepared in compliance with section 202(a)(2) of the International Religious Freedom Act of 1998, 22 U.S.C. 6401 *et seq.*, P.L. 105-292, as amended by P.L. 106-55 and P.L. 107-228.

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UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

*Washington, DC, May 1, 2003*

Hon. TED STEVENS

*President Pro Tempore*

*U.S. Senate*

DEAR MR. STEVENS: On behalf of the United States Commission on International Religious Freedom, I am transmitting to you the Commission's Report on Saudi Arabia, prepared in compliance with section 202(a)(2) of the International Religious Freedom Act of 1998, 22 U.S.C. 6401 *et seq.*, P.L. 105-292, as amended by P.L. 106-55 and P.L. 107-228.

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FELICE D. GAER  
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Enclosure

## **SAUDI ARABIA**

### **A. Introduction**

According to the State Department, freedom of religion does not exist in Saudi Arabia. Saudi Arabia is a uniquely repressive case where the government forcefully and almost completely limits the public practice or expression of religion to one interpretation: a narrow and puritanical version of Islam based on the Wahhabi doctrine. Consequently, those Saudis and foreign contract workers who do not adhere to the Saudi government's interpretation of Islam are subject to severe religious freedom violations. Among the most serious abuses and forms of discrimination are:

- Virtually complete prohibitions on establishing non-Wahhabi places of worship, the public expression of non-Wahhabi religion, the wearing of non-prescribed religious dress and symbols, and the presence of identifiable clerics of any religion other than the government's interpretation of Islam;
- The harassment, detention, arrest, torture, and subsequent deportation by government authorities of Christian foreign workers for worshipping in private – with many forced to go to great lengths to conceal private religious practice in order to avoid these abuses;
- The detention, imprisonment, and, in some cases, torture of Shi'a clerics and religious scholars for their religious views, which differ from those of the government;
- The interpretation and enforcement of religious law in Saudi Arabia, which affects every aspect of women's lives and results in serious violations of their human rights; and
- The offensive and discriminatory language found in Saudi government-sponsored school textbooks, sermons in mosques, and articles and commentary in the media about Jews, Christians, and non-Wahhabi streams of Islam.

Despite occasional disagreements over regional issues and a growing public debate on the direction of U.S.-Saudi relations following the attacks of September 11, 2001, official U.S. relations with Saudi Arabia remain close. The Commission, however, shares the State Department's view that freedom of religion does not exist in Saudi Arabia, and notes that advancing human rights, including religious freedom, has not been a public feature of the bilateral relationship. Indeed, some have argued that the U.S. government has refrained from criticizing human rights practices in Saudi Arabia, and has even gone so far as to restrict the rights of Americans to do so.

The Commission believes that U.S. efforts to encourage Saudi Arabia to comply with its international commitments to protect religious freedom should be strengthened significantly and made more transparent instead of being relegated to private discussions. As with other countries where serious human rights violations exist, the U.S. government should more frequently identify these problems and publicly acknowledge that they are significant issues in the bilateral relationship.

To that end, the Commission makes several specific recommendations for U.S. policy presented in Section G of this report.

## **B. Demographic Information**

Saudi Arabia has an estimated population of 23 million that includes between 6 and 7 million foreign contract workers.<sup>1</sup> The 16-17 million Saudi nationals are exclusively Arab and 85-90 percent are Sunni Muslims. Shi'a Muslims, including Ismailis,<sup>2</sup> are concentrated primarily in the Eastern Province and constitute 8-10 percent of Saudi nationals. Approximate numbers of foreign contract workers include: Indians (1.5 million), Bangladeshis (1 million), Egyptians (1 million), Pakistanis (900,000), Filipinos (800,000), Sri Lankans (300,000), Palestinians (250,000), Lebanese (150,000), Eritreans and Ethiopians (40,000), Americans (40,000), and British (27,000). Foreign workers in Saudi Arabia are primarily Muslims of diverse cultural and religious backgrounds. Among the non-Saudis, there is also a large community of Christians, including the Filipino population that is primarily Roman Catholic, as well as smaller communities of Hindus, Buddhists, Jews, and others.<sup>3</sup>

Foreign workers under contract with private Saudi employment agencies account for close to half of Saudi Arabia's work force – and make up an even higher percentage in the private sector.<sup>4</sup> They play an important role in the Saudi economy, particularly in the oil, banking, and service sectors. Employers must act as sponsors to allow foreign workers to remain in the country. Employers' permission is required for foreign workers to travel within or to leave the country, and passports are routinely held by employers and occasionally confiscated by the government in order to control movement and, in some cases, reportedly to keep foreign workers in the country against their will.<sup>5</sup>

## **C. Religious Freedom Conditions**

### **1. Prohibitions on Non-Wahhabi Public Religious Practice and Expression**

As a result of an alliance between 18<sup>th</sup> century Islamic reformer Muhammad ibn Abd al-Wahhab and tribal chief Muhammad bin Saud more than 250 years ago, the Saudi government today imposes and enforces, in collaboration with the religious establishment, an exclusivist religious ideology on all residents of Saudi Arabia.<sup>6</sup> There are large communities of Muslims from a variety of different doctrinal schools of Islam residing in Saudi Arabia, among both Saudis and foreign workers from throughout the Muslim world. Moreover, estimates of non-Muslim foreign workers are as high as 2 million. Yet, the public manifestation and practice of religion in Saudi Arabia is limited to that prescribed by one interpretation and presentation of Islam: the Sunni branch of Islam as interpreted by Abd al-Wahhab within the Hanbali school of jurisprudence.<sup>7</sup>

The virtual elimination of the public practice of any religion other than Wahhabi Islam is patently contrary to the guarantees set out in the Universal Declaration of Human Rights and other international human rights instruments for the “freedom, either alone or in community with others and in public or private, to manifest [religion].”<sup>8</sup>

The official prohibitions are far-reaching, and affect both Muslims and non-Muslims. No church, Hindu temple, synagogue, or other non-Muslim public place of worship may exist in



Saudi Arabia. There are only a few Shi'a mosques in the entire country, and the display of distinctive Shi'a motifs inside these mosques is prohibited. Construction or expansion of Shi'a mosques requires government approval, and the Shi'a community refuses government offers to build mosques for them because of the prohibition on Shi'a motifs and other government controls over the operation of those mosques. Shi'a funeral shrines and *hosainyas* (religious community centers) are prohibited. Numerous Muslim religious landmarks, holy sites, and mosques have been demolished by the Saudi authorities over the years, because these sites are associated with votive offerings, praying at saints' tombs and graves, and other prayer rituals that, from the Wahhabi point of view, are prohibited because they could lead to *shirk* (polytheism; literally "association").

Saudi officials prohibit a number of Muslim practices that are common to Muslims around the world, including the public commemoration of the birth of the Prophet Muhammad. Wearing religious symbols or jewelry of any kind, whether Muslim or non-Muslim, is also prohibited. Saudi authorities permit the celebration of the Shi'a holiday of Ashura in Qatif, where Shi'a Muslims predominate, provided that the celebrants do not engage in public marches or assemblies.

The government strictly prohibits the public teaching and spreading of Islam within Saudi Arabia by non-Wahhabi Muslims – including Sunni and Shi'a Muslims. Non-Muslim public religious persuasion is also prohibited.

Historically, relations between the Shi'a community and the Saudi religious establishment have been strained because "the Wahhabis consider the rituals of the Shi'a to be the epitome of *shirk*...especially the Ashura mourning celebrations, the passion play reenacting Husayn's death at Karbala, and popular votive rituals carried out at shrines and graves."<sup>9</sup> Members of the official religious establishment have reportedly issued *fatwas* (religious edicts) declaring the Shi'a to be outside the pale of Islam and authorizing the state to prevent them, including forcibly, from practicing certain aspects of their religion.

During its visit to Saudi Arabia in March 2001, a Commission delegation was informed by government officials that public worship by non-Muslims in Saudi Arabia is prohibited for several reasons. First, they claimed the existence of a *hadith* (saying of the Prophet Muhammad) to the effect that there cannot be two religions in the Arabian Peninsula. No other country on the Arabian Peninsula has a similar interpretation; none has a complete prohibition on non-Muslim places of worship.<sup>10</sup> Second, officials claimed that, as the keepers of Islam's two Holy Mosques – in Mecca and Medina – Saudi Arabia has a special responsibility to preserve the sanctity of the entire country and that to allow non-Muslim worship would incur opposition from Muslims all over the world. Despite this claim, there is no evidence that suggests that Muslims would object to non-Muslim places of worship in Saudi Arabia. Indeed, churches, synagogues, or other places of worship exist throughout the Muslim world.

Saudi officials also asserted to the Commission that there are no Saudi non-Muslims; all non-Muslims are foreign contract workers who are required, including by employment contract, to abide by Saudi laws and customs. However, under international law, states must protect the fundamental rights, including religious freedom, of all individuals under their jurisdiction, whether citizens or foreign-born.<sup>11</sup> Saudi officials also claimed that allowing public displays of

non-Muslim religious practice would be seen as a “provocation” and would offend the sensibilities of Saudi Muslims. In the Commission’s view, this problem should be addressed by the government actively promoting tolerance. Instead, as discussed below, the Saudi education system, official media, and some official religious institutions reportedly promote intolerance of non-Muslims, as well as of Muslims who do not conform to the official Wahhabi interpretation of Islam.

A number of the justifications for restrictions on public religious practice in Saudi Arabia are, in the government’s view, grounded in religious doctrine. This assertion raises troubling issues, in that quite severe restrictions on the freedom of religion are justified by a government in terms of adherence to its interpretation of religious norms. Nevertheless, the Commission believes that religious beliefs standing alone cannot prevail as a justification for these government violations of the internationally guaranteed freedom to manifest religion as protected in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Convention on the Rights of the Child.<sup>12</sup>

## **2. Prohibitions on Non-Wahhabi Religious Teaching**

Saudi authorities do not permit the importation or dissemination of Shi’a religious literature and educational materials. All Shi’a books are banned.<sup>13</sup> Since 1979, when the Grand Mosque in Mecca was taken over by Saudi extremists influenced by the Iranian revolution, the government has also restricted Saudi Shi’a scholars and pilgrims from going to Shi’a learning centers in Iran, though these restrictions have eased somewhat as result of the thaw in Saudi-Iranian relations in recent years.

The government also prohibits non-Muslim clergy from entering the country to conduct religious services for foreign workers. This prohibition falls particularly hard on Catholics and Orthodox Christians who require the services of a priest in order to engage in collective worship. Customs officials regularly confiscate Bibles and other religious material when Christian foreign workers arrive at the airport from their home countries initially or return from a vacation.

## **3. Criminalization of Apostasy and Blasphemy**

Apostasy, defined as the abandonment of one’s Muslim faith or changing from Islam to another faith, is an offense punishable by death. There have been several reported cases of executions of individuals found to be apostates in Saudi Arabia, though none in the last few years.

Nevertheless, the government continues to prosecute individuals charged with blasphemy – in some cases death sentences have been handed down – although the number of cases has decreased significantly in recent years.<sup>14</sup> In January 2003, a Yemeni national, Hail al-Masri, was reportedly sentenced to death for “insulting the religion of his roommate.”<sup>15</sup> Originally, a lower court in Jeddah sentenced the man to two years in prison and 600 lashes; however, a higher court rejected that ruling and subsequently sentenced him to death. His fate is unknown. A Shi’a Muslim, Mohsen al-Turki, is reportedly in hiding to avoid a blasphemy charge that could be also punishable by death.<sup>16</sup> Some Christian foreign workers informed the Commission that the Saudi legal system encourages dishonest employers to resort to the threat of arrest on false charges

such as blasphemy or slander in order to pressure workers to renounce their legal claims to severance pay and other benefits.<sup>17</sup>

#### **4. Restrictions on Private Religious Practice**

In recent years, the Saudi government has taken the position publicly on several occasions that all residents of Saudi Arabia – both Muslim and non-Muslim and including foreign workers – may worship freely in private.<sup>18</sup> As discussed above, allowing members of some religious communities to worship only in private falls far short of international legal guarantees for the freedom of religion. Moreover, the freedom to worship privately in community with others is not, in fact, respected in Saudi Arabia, as numerous foreign Christians attending house church worship services have been detained without charge for months, beaten, imprisoned, and deported for engaging in such worship. In practice, for most foreign non-Muslims, Saudi restrictions on the freedom to engage in private communal worship is tantamount to a requirement to worship in secret.

Numerous American and other foreign workers in Saudi Arabia have told the Commission that what constitutes permitted private worship, as opposed to prohibited public worship, is often unclear. The guidelines that do exist are often not followed by either the Committee for the Propagation of Virtue and the Prevention of Vice (*mutawaa*) or the police. Saudi officials generally define “private” worship as that which takes place inside one’s own home or private quarters. Saudi Minister of Islamic Affairs Shaykh Saleh al-Shaykh outlined to the Commission three conditions for a “private” religious service: (1) that the venue does not become specialized for this purpose; (2) that public invitations are not sent out; and (3) that the service is not obvious to the public (i.e. parking, crowds, traffic).<sup>19</sup> Religious services held on the premises of foreign embassies or the ARAMCO compound<sup>20</sup> also fall within the category of “private” worship. However, the vast majority of foreigners living in Saudi Arabia are not able to enter the diplomatic quarter or the ARAMCO compound for worship services, and most embassies cannot accommodate large numbers of people.

Because the guidelines for private worship are vague, and because the police or *mutawaa* have broken up services that appear to fall within the guidelines that do exist, many non-Muslim foreign workers worship together in secret for fear of government reprisal and arrest. Underground churches function in secrecy in private homes, but usually do not meet on Sundays in order to avoid unwanted attention. Numerous foreign workers interviewed by the Commission spoke of the great effort required to organize private communal worship and avoid detection by the Saudi authorities.

Saudi officials have raided private religious gatherings, leading to the arrest, detention, and deportation of foreign contract workers. For example, on July 18, 2001, Prabhu Isaac, an Indian national, was arrested after two sizeable farewell parties (350-400 guests each) were given in his honor at a wedding hall in a sparsely populated section of Jeddah. There were Christian elements to both events: Bible reading, prayer, hymn singing, and sermons. However, no Saudi nationals were invited, though one was apparently present, and there was no religious literature distributed or speeches made in Arabic. Mr. Isaac’s arrest was followed one week later by that of Eskinder Menghis, an Eritrean national who did not attend the gatherings but whose name appeared on the rental agreements for the wedding hall. Altogether, 14 Christians of various

nationalities were detained and imprisoned in Jeddah between July and September 2001 in what appeared to be a crackdown on a loose network of private Christian “home fellowships.”<sup>21</sup> All were arrested and detained without charge. Several reported harsh prison conditions (and, in some cases, beatings) and being subjected to repeated interrogations.<sup>22</sup> All were deported by March 2002 after, for some, more than six months in prison. None of the detainees was permitted to communicate with family, legal counsel, or consular officials.

Dennis Moreno-Lacalle, a Filipino national among those detained, informed the Commission that after being arrested in August 2001, he was forced to sign a statement in Arabic, without access to an interpreter, lawyer, or consular official. Mr. Moreno-Lacalle reported that he was subsequently held in solitary confinement for 13 days, repeatedly urged to convert to Islam in order to be released, and witnessed first-hand the flogging of three Ethiopian Christians on January 28, 2002.<sup>23</sup>

According to the State Department, in April 2002, at least 26 Christians were detained by the Saudi police and the *mutawaa* in a series of raids on private homes where worship services were being held in a suburb of Riyadh. In May 2002, 11 Christians, primarily Ethiopian and Eritrean, were detained in Jeddah and Riyadh for allegedly engaging in “activities that violated restrictions against public worship.”<sup>24</sup> By September, most had been deported and the rest were released without charge.<sup>25</sup>

Treatment of foreign nationals in Saudi Arabia appears to vary based on one’s nationality, religion, sex, nature of work, and place of residence. Residents in Saudi Arabia have told the Commission that nationals from developing countries such as Filipinos, Indians, Bangladeshis, Sri Lankans, Africans, and other Asians, receive far worse treatment and experience greater restrictions than Americans or Europeans. In addition, those residing in special compounds – such as the diplomatic quarter and the ARAMCO compound – report having more freedom to practice their faith than those who do not.

## **5. Enforcement of a Narrow Set of Religious Principles**

The Committee on the Rights of the Child, a UN treaty monitoring body with three of its 10 members from Middle Eastern Muslim countries, concluded in February 2001 with regard to Saudi Arabia that: “Noting the universal values of equality and tolerance inherent in Islam, the Committee observes that narrow interpretations of Islamic texts by State authorities are impeding the enjoyment of many rights protected under the Convention.” The Committee recommended that Saudi Arabia “take all effective measures, enacting or rescinding legislation where necessary, to prevent and eliminate discrimination on the grounds of religion or belief...”<sup>26</sup>

### ***a. Abuses by the Mutawaa***

Enforcement of religious conformity among the population at large is primarily the responsibility of the *mutawaa*. Formally known as the Committee for the Propagation of Virtue and the Prevention of Vice, the *mutawaa* is a security force of approximately 4,500 persons that monitors and enforces standards of public dress and behavior. The *mutawaa* is a government entity, and its chairman has the status of minister.

Members of the *mutawaa* may admonish any individual or group whose public behavior they deem in violation of Islamic principles as defined by the government. They may enforce attendance of men at mosques, closure of stores and other businesses during prayer time, public abstinence from eating, drinking, and smoking – for Muslims and non-Muslims alike – during the fasting month of Ramadan, strict dress codes for both men and women regardless of religious affiliation, and strict segregation of the sexes. They have the legal authority to detain persons for up to 24 hours before transporting detainees to the police.

The *mutawaa* is intrusive. They arbitrarily raid private homes and exercise broadly defined, vague powers, including the ability to use physical force and detain individuals without due process. The State Department reported in its *Annual Report on International Religious Freedom – 2002* that: “In certain areas, both the Mutawwa’in and religious vigilantes acting on their own harassed, assaulted, battered, arrested, and detained citizens and foreigners.” Several persons, both Saudi and non-Saudi, told the Commission that the *mutawaa* harass women for not complying with the dress code; detain men for appearing in public places with women who are not relatives; harass and detain female foreign workers arbitrarily; shear men’s hair if it is determined to violate imposed standards; detain without charge Saudis and non-Saudis for long periods of time; and whip and beat both Saudis and non-Saudis.<sup>27</sup>

In interviews with the Commission, several foreign workers reported that they had either themselves been harassed by the *mutawaa* or knew of people who had been harassed over the past several years. According to one interlocutor, many female foreign workers from developing countries fear leaving their homes because of the treatment they might receive from the *mutawaa*. Non-Muslim women reported being forced into mosques to pray, ordered to make sure headscarves cover the entire head, questioned on their way to work, and heckled. Other foreign workers expressed concern about “vigilantes” or volunteers who pose as *mutawaa* and cause additional problems, sometimes using excessive force. Some foreign workers stated that they fear complaining or reporting mistreatment by the *mutawaa* for fear of retaliation by their employers.

The UN Committee Against Torture released conclusions and recommendations in June 2002 on the first Saudi report on its compliance with the Convention against Torture, which was ratified by Saudi Arabia in 1997.<sup>28</sup> The Committee expressed concern over the vagueness of the legal provisions governing the powers of *mutawaa* “to proscribe conduct they identify as not conducive to public morality and safety.”<sup>29</sup> Further, expressing concern that the activities of the *mutawaa* may violate the Convention, the Committee recommended that the *mutawaa* “exercise a clear and precise jurisdiction” without discrimination and in a manner regulated by law and subject to judicial review.

### ***b. Arrest and imprisonment of religious dissidents***

Any individual who criticizes the government-imposed version of Islam or advocates a different interpretation of Islam faces possible arrest, detention, and imprisonment.<sup>30</sup> The Saudi government continues to arrest and detain without charge prominent Shi’a clerics and religious scholars for their religious views. Several remain in prison and reportedly have been beaten or otherwise ill-treated. Several imams, both Sunni and Shi’a, who have spoken in opposition to

government policies or against the official interpretation of Islam, have been harassed, arrested, and detained.<sup>31</sup>

In February 2002, the Saudi government released Shaykh Ali bin Ali al-Ghanim, a prominent Shi'a cleric, who was imprisoned in August 2000. He was never charged with any crime and was reportedly tortured in prison. According to the State Department, 16 Shi'a clerics remained in prison as of the end of December 2002.<sup>32</sup>

Saudi authorities occasionally have arrested and detained Ismaili clerics for allegedly practicing sorcery in Najran, a region in the southwest corner of Saudi Arabia. Historically, spurious charges of "sorcery" and "witchcraft" have been used by the Saudi authorities against non-Wahhabi Muslims.

In April 2000 in Najran, after the *mutawaa* raided an Ismaili mosque, closed it down, and confiscated its religious literature, Ismailis confronted the security forces and serious unrest ensued. Ahmad bin Muhammad al-Khayat, an Ismaili cleric and, according to Saudi authorities, an illegal Yemeni immigrant, was arrested in the raid and charged with practicing sorcery while conducting a religion class for a small group of Ismailis at al-Mansura mosque.<sup>33</sup> At a demonstration at the governor's headquarters calling for the release of al-Khayat, Ismaili protesters fired guns and burned vehicles, killing at least one member of the security force and injuring others. Though there was no independent confirmation of the numbers killed, injured, or arrested in the days that followed, Ismaili leaders claimed that 40 Ismailis were killed and the Saudi government stated that five members of its security force were killed. Other reports indicated that two Ismailis were killed, several others were injured, and one member of the security force was killed.

In February 2002, Amnesty International reported that three Ismaili tribal leaders were being held in "incommunicado detention, where they are at risk of torture or ill treatment." Ismaili leader Sheikh Ahmed Turki al-Saab was arrested in Najran on January 15, 2002 because he was quoted in a January 9, 2002 *Wall Street Journal* article claiming that Ismailis are discriminated against by Saudi officials. Two other Ismailis were also detained on February 4. Amnesty International, citing Western diplomats in Riyadh, said the three men were detained "because they had not obtained prior approval from authorities to talk to the foreign press." The State Department reports that in April 2002, Sheikh Turki al-Saab was sentenced to flogging and seven years imprisonment.

In December 2002, King Fahd commuted the death sentences of 17 Ismailis involved in the unrest in Najran and reduced the prison sentences of others. Also in December, the Saudi government released elderly Ismaili leader Haj Muhammad Al-Saadi, who had been held in the Al-Hair maximum security prison for nearly three years for his involvement in the Najran demonstration. Yet, in April 2003, a press report alleged that Saudi authorities recently had begun flogging dozens of Ismailis involved in the April 2000 Najran incident.<sup>34</sup>

### *c. Discrimination against Shi'a*

In addition to restrictions on religious freedom, Saudi Shi'a face widespread discrimination. Members of the Shi'a community informed the Commission that they are

regularly discriminated against in government employment, especially with respect to national security positions, such as in the military or the Ministry of the Interior. The government also discriminates against Shi'a in higher education through unofficial restrictions on the number of Shi'a admitted to universities.<sup>35</sup> Members of the Shi'a community also report unequal access to healthcare. There have also been credible reports that Shi'a testimony in various court cases is discounted or rendered inadmissible by judges. Thousands of Shi'a, including several clerics, reportedly have had their passports confiscated. Also, many Shi'a are banned from leaving the country.<sup>36</sup>

## **6. Violations of Women's Equal Right to Religious Freedom**

The way religious law is interpreted and enforced in Saudi Arabia affects every aspect of the lives of both Saudi and foreign women and results in serious violations of their human rights.<sup>37</sup> Force is used to threaten or compel women to act in ways prescribed by the *mutawaa* and by the government's interpretation of Sharia.

The discrimination that affects women's rights has other far-reaching consequences. For example, women must adhere to a strict dress code when appearing in public. Women can only be admitted to a hospital for medical treatment upon consent of a male relative. While women formally own 20 percent of Saudi businesses, they must deputize a male relative to represent them in financial transactions. Religiously-based directives limit women's right to choose employment because, for instance, women are excluded from studying for certain professions such as engineering, journalism, and architecture. Women have no freedom of movement within the country and need to receive written permission from a male relative to travel inside or outside the country.<sup>38</sup> Further, women cannot drive motor vehicles and can only ride in a vehicle driven by a close male relative or an employee or they risk arrest by the *mutawaa* or police. They also may not accept jobs in rural areas if an adult male relative is not able to accompany them. Thus, the restriction of freedom of thought, conscience, religion, and belief in Saudi Arabia has a particularly severe impact on the lives of women.

All the limitations on women's conduct in public renders them particularly vulnerable to physical coercion by Saudi officials. Moreover, it is very difficult for women to obtain judicial redress for abuses committed by the *mutawaa* or other government officials.

The *mutawaa*'s role in enforcing public morality as it pertains to women came under unusual scrutiny in 2002. In March of that year, 15 girls were killed and at least 50 injured in a fire that broke out at a school for girls in Mecca. Press reports, including from the Saudi Press Agency, accused the *mutawaa* of interfering with rescue workers and preventing girls from leaving the burning building because many of them were "not covered" according to the Saudi dress code for females. The chief of police in Mecca initially was quoted as saying that the *mutawaa* may have been responsible for "trying to interfere" with the girls' escape. Interior Minister Prince Naif ordered a full investigation that subsequently cleared the *mutawaa* of any wrongdoing. Saudi and international media, human rights non-governmental organizations (NGOs), and Saudi citizens expressed outrage at the initial findings of the investigation, demanded a more complete and transparent investigation, and asked for the resignation of the head of the Presidency of Girls' Education (PGE), Ali Al-Murshid.<sup>39</sup> Two weeks after the

tragedy, Al-Murshid was asked to take early retirement by Crown Prince Abdullah and the PGE was subsequently merged with the Education Ministry.

The Saudi justice system does not grant women the same legal status as men. For example, in the country's courts, the official interpretation of Sharia provides that in some circumstances "testimony by a man is said to be equivalent to the testimony of two women."<sup>40</sup> Muslim women cannot freely choose a spouse because they are prohibited from marrying non-Muslims. The same limitation does not apply to Muslim men, who can choose whether to marry Muslims, Christians, or Jews. Daughters receive only half the inheritance awarded to their brothers. Women "must demonstrate legally specified grounds for divorce, but men may divorce without giving cause."<sup>41</sup> In September 2001, the Saudi government announced that women could obtain identity cards, although they need permission of a close male relative to do so.

Domestic violence is not regarded as a crime under Saudi law, and spousal abuse is prevalent.<sup>42</sup> The State Department reports that foreign domestic workers are subject to forced confinement, withholding of food, beatings and other physical abuse, including rape.<sup>43</sup> In interviews with the Commission, foreign women employed as domestic servants stated that they are especially prone to abuse and are often forbidden to leave the house in which they work for the entire duration of their stay in Saudi Arabia.<sup>44</sup> In one case, the Commission was told of a foreign domestic worker who had become pregnant after being raped by her employer. She was subsequently imprisoned because it is illegal for female foreign workers to become pregnant in Saudi Arabia if they are not married.

## **7. No Legal Protections for Religious Freedom**

Saudi Arabia does not have a formal written constitution. In 1992, King Fahd introduced the "Basic Law" that declared the Koran and the Sunna (tradition) of the Prophet Muhammad as the constitution of the country and Islamic law (Sharia) as the basis of governance. The Basic Law bans arbitrary arrest, harassment, and entry to individual homes without legal authority; however, the authorities regularly do not adhere even to these explicit legal guidelines. The Basic Law does not include any protections for freedom of religion or belief.

The central institution of the Saudi Arabian government is the monarchy. There are no political parties or national elections. The leading members of the royal family choose the king from among themselves with the subsequent approval of the *ulema* (Wahhabi religious leaders).<sup>45</sup> The king's powers are limited only by the principles that he must observe the Sharia and other Saudi traditions. In practice, he also must retain a consensus of the Saudi royal family, the *ulema*, and other important elements in Saudi society. There is no public accountability of government policy. Legislation is introduced by resolution of the Council of Ministers, ratified by royal decree, and must be compatible with the government's interpretation of Sharia. In 1993, the King appointed a 60-member consultative council, eventually increased to 120 in 2001, which has limited powers to question cabinet members and propose new laws.<sup>46</sup>

Justice is administered according to the Sharia by a system of religious courts whose judges are appointed by the king on the recommendation of the Supreme Judicial Council, composed of 12 senior jurists. The king acts as the highest court of appeal and has the power to pardon.<sup>47</sup> According to the Basic Law, the independence of the judiciary is protected by law,



with Sharia as its primary reference. Despite a diversity of Muslims in Saudi Arabia, as well as non-Muslim foreign workers, the government's interpretation of Sharia is imposed on all residents. Therefore, justice is administered through only one court system and judges may discount the testimony of individuals who do not adhere to the Wahhabi version of Islam.

*Hudud* punishments prescribed under Sharia law for criminal offenses are carried out by the state.<sup>48</sup> Offenses subject to *hudud* punishments are theft, robbery, illicit sexual relations, false accusation of illicit sexual relations, drinking of alcohol, and apostasy. Specific punishments include flogging, amputation of limbs, beheading, and death by stoning. In recent years, authorities have not carried out death by stoning sentences. However, the UN Committee Against Torture has expressed concern about "the sentencing to, and imposition of, corporal punishments by judicial and administrative authorities, including, in particular, flogging and amputation of limbs, that are not in conformity with the Convention [Against Torture]."<sup>49</sup>

The Ministry of Justice, established in 1970, administers the more than 300 Sharia courts in Saudi Arabia. The Minister of Justice is appointed by the king from among the country's most senior *ulema*. The *ulema* have significant political influence and include religious scholars, judges, lawyers, seminary leaders, and prayer leaders.<sup>50</sup> Secrecy and the lack of internationally recognized standards of due process have long been distinctive features of the Saudi justice system. At present, the Saudi legal system is undergoing some change, both structurally and procedurally. A new criminal procedure code went into effect in May 2002 explicitly detailing the rights of the accused, along with regulations as to its implementation. A new law on the legal profession has also been issued and the nationwide registration of lawyers is expected to be completed within five years.<sup>51</sup> Despite these changes, compliance with international human rights standards continues to be a major challenge for Saudi Arabia.

Reporting on his October 2002 visit to Saudi Arabia, the UN Special Rapporteur on the Independence of Judges and Lawyers expressed several concerns about the justice system. He concluded that there is a "substantial lack" of transparency in the judicial system; prolonged "incommunicado" detention; lack of due process; lack of access to lawyers by the accused; lack of equality under the law; reliance by authorities on public confessions of the accused as evidence in court; and lack of access of accused foreign nationals to consular assistance.<sup>52</sup> The Special Rapporteur made several recommendations, including the reform of criminal procedure to bring it into conformance with international standards.

## **8. Intolerance in the Saudi Education System and Media**

The Saudi education system indoctrinates all students in the government's favored interpretation of Islam, regardless of the convictions of the children or their parents. Some experts report that the Saudi education system, in its present state, promotes intolerance in its curriculum and its textbooks. Islamic religious education is mandatory in public schools at all levels and all public school children receive religious instruction that conforms to the official version of Islam. Some estimate that as much as 30-50 percent of the secondary school curriculum is based on religious teachings.<sup>53</sup> Saudi interlocutors assert that while in primary and secondary school, they were forced to learn the Wahhabi interpretation of Islam and were told repeatedly that no other form of Islam, or any other religion for that matter, had any validity or truth and that they should not associate with members of other religious groups. Such mandatory

indoctrination violates the principle articulated in the Universal Declaration of Human Rights and other international instruments that religious instruction in the schools shall be only in accordance with the convictions of the parents and the best interests and evolving capacities of the child.

Independent studies conducted in recent months indicate that official government textbooks, published by the Saudi Ministry of Education, include offensive and discriminatory language and, in some cases, promote intolerance and hatred of other religious groups.<sup>54</sup> Among the major findings of these studies of the Saudi public education system are: (1) Islam – specifically the Wahhabi interpretation – is presented as the only true religion and all other religions are considered invalid and misguided, including other streams of Islam such as Shi’ism and Sufism; (2) Christians and Jews repeatedly are labeled as infidels and enemies of Islam who should not be befriended or emulated, and are referred to in eighth grade textbooks as “apes” and pigs<sup>55</sup>; (3) Jews are repeatedly referred to as a “wicked nation,” characterized by bribery, deception, and betrayal, among other things; (4) those who abandon Islam for another religion deserve to be killed, or at least imprisoned, if found guilty; (5) rote learning is emphasized rather than the development of analytical skills; and (6) Saudi education policy and curriculum discriminate against girls. These findings raise concerns regarding the promotion of intolerance in the public school system, as well as mandatory education in one religious doctrine for all students.

In meetings during a Commission visit to Saudi Arabia in March 2001, Saudi officials justified government prohibitions on public manifestation of religion in part by claiming that the Saudi people would not tolerate, and may violently oppose, such public religious expression. As noted above, even if indeed this is an accurate perception of societal attitudes, the government has other obligations to promote tolerance. The Commission believes the remedy lies not in perpetuating these views by suppressing public religious practice, but in promoting understanding and religious tolerance, including in its education system. In its May 2001 report, the Commission called on the U.S. government to “encourage the Saudi government to promote religious tolerance and respect toward all religions in their education system.” The UN Committee on the Rights of the Child has recommended that the Saudi government “make every effort, including public education campaigns, to combat intolerance on the grounds of religion or other belief.”<sup>56</sup>

Like the education system, intolerant and offensive messages are also found in other important elements of Saudi society such as mosques and the media, which is largely controlled by the government. There have been numerous reports that religious leaders use their sermons in mosques to deliver intolerant and discriminatory messages about Jews and Christians.<sup>57</sup> Such examples include: “Christians and Jews are infidels...and enemies of Allah;” “O God, destroy the tyrant Jews;” “Muslims must educate their children to Jihad...and to hatred of the Jews;” and “Jews and Christians...are descendants of apes and pigs.”<sup>58</sup>

Anti-Semitic and anti-Western sentiment also remains prevalent in the government-controlled media.<sup>59</sup> Numerous articles and commentary in the Saudi press are openly anti-Jewish, offensive, and discriminatory: the “Zionist movement” is labeled as evil; blood libel accusations are made; hatred toward Jews is encouraged; Jews are said to be trying to take over the world; and the existence of the Holocaust is denied.<sup>60</sup>

#### D. Saudi Global Export of the Wahhabi Ideology

The Commission is concerned about numerous credible reports that the Saudi government and members of the royal family directly and indirectly fund the global propagation of an exclusivist religious ideology, Wahhabism, which allegedly promotes hatred, intolerance, and other abuses of human rights, including violence. The concern is not about the propagation of Islam *per se*, but about allegations that the Saudi government's version of Islam promotes abuses of human rights, including violent acts, against non-Muslims and disfavored Muslims. The concern is broader than the allegation that the Saudi government is supporting and financing terrorism, which has received substantial attention following the September 11, 2001 terrorist attacks in the United States.<sup>61</sup>

In the 1960s, the Saudi government began creating and financing Islamic organizations to promote its religious ideology abroad. In 1962, it established the Muslim World League, an organization that seeks to promote Islamic unity and to propagate the Wahhabi version of Islam to Muslims and non-Muslims. Subsequently, it created the World Association of Muslim Youth, which focuses on propagation among young people. The Saudi government also funds numerous relief organizations that provide humanitarian assistance, but which also have propagation as a component of their activities. One scholar suggests that "it is important to distinguish between assistance destined for humanitarian purposes and cases where funds have been diverted – whether intentionally or not – to fund militant activities. It is also necessary to differentiate between schools that provide religious teachings with solely educational motives, and schools that use religion to incite hatred towards others and that have been used by some individuals or groupings for political aims. The dividing lines may often be blurred...."<sup>62</sup>

Many experts agree that an even more concerted effort was made by the Saudi government to increase funding and initiate a systematic campaign to propagate Wahhabism outside of Saudi Arabia after the brief takeover of the Grand Mosque in Mecca in 1979 by disgruntled Muslim extremists. These extremists felt that the Saudi government had become too close to the West. At the same time, the Saudi government viewed the 1979 Islamic revolution in Iran as a direct threat that would fuel opposition to the Saudi regime among the country's minority Shi'a population. Many experts also believe that global propagation efforts were increased at this time in order to appease the Wahhabi religious establishment's concern about increased modernization in Saudi Arabia and closer relations with the West, particularly the United States, thus deflecting domestic criticism of the ruling family. Another wave of aggressive propagation ensued in the late 1980s and early 1990s, which targeted countries of the former Soviet Union. Even after the September 11, 2001 attacks, the Saudi government's "role in financing and supporting extremist interpretations of Islam across the Muslim world intensified."<sup>63</sup>

Saudi Arabia is known to be the biggest funder of *madaris* – Islamic religious schools – in Afghanistan, Pakistan, India, Yemen, Africa, Central Asia, Eastern Europe (particularly Bosnia and Kosovo), Southeast Asia, North America, Chechnya, and Dagestan.<sup>64</sup> Around the world, Saudi wealth and charities contributed to an explosive growth of *madaris* during the period of Afghan resistance to the Soviet invasion. During that war (1979-1989), a new kind of *madrassa* emerged in Pakistan and Afghanistan that was not so much concerned about scholarship as declaring war on infidels. Many of the Taliban, who went on to rule much of

Afghanistan, were educated in Saudi-financed *madaris* in Pakistan.<sup>65</sup> In the case of Pakistan, an expert who testified before the Commission concluded that “some of these schools run by particular religious groups provide ideological training and motivation to those who go on to fight in Afghanistan and Kashmir, and take part in violence targeting religious minorities in Pakistan....”<sup>66</sup>

Many allege that the kind of religious education propagated in Saudi-funded Islamic schools, mosques, and Islamic centers of learning throughout the world fuels hatred and intolerance, and even violence, against both Muslims and non-Muslims. Some Saudi government-funded textbooks used both in Saudi Arabia and also in North American Islamic schools and mosques have been found to encourage incitement to violence against non-Muslims.<sup>67</sup> There have also been reports that some members of extremist and militant groups have been trained as clerics in Saudi Arabia; these groups promote intolerance of and even violence against others on the basis of religion.<sup>68</sup>

Several former U.S. government officials and scholars have raised publicly the Saudi government’s role in exporting Wahhabism. In testimony before the House International Relations Committee on “The Future of U.S.-Saudi Relations” in May 2002, former CIA director James Woolsey stated that “Saudi-funded, Wahhabi-operated export of hatred for us reaches around the globe. It is well known that the religious schools of Pakistan that educated a large share of the Taliban and al Qaeda are Wahhabi.... The Wahhabi textbooks...teach that it is the obligation of all Muslims to consider all infidels the enemy.”<sup>69</sup> In a 2002 article in *Foreign Affairs*, former Assistant Secretary of State for Near Eastern Affairs Martin Indyk asserted that “the [Saudi] regime accordingly financed the export of Wahhabism through the building of hundreds of mosques and madrassas (religious schools) abroad. The activity was particularly intense in areas affected by the collapse of the Soviet Union – the Balkans, Central Asia, Afghanistan, and Pakistan – where the Saudis engaged in competition with Iranian mullahs for the hearts and minds of local Muslim populations.”<sup>70</sup>

One scholar has written: “Internationally, the Saudis, both government-sponsored organizations and wealthy individuals, have exported a puritanical and at times militant version of Wahhabi Islam to other countries and communities in the Muslim world and the West.”<sup>71</sup> Another scholar suggests that the Saudis “need to be encouraged to develop a more tolerant model of Islam, one more reconciled to modernity, as an alternative to the hatred and xenophobia now propagated through school and mosque.”<sup>72</sup> A third expert has gone further: “The other way the Saudis have been accused of promoting terrorism abroad is by funding – through Saudi-sanctioned charities and international Muslim organizations – Muslim schools and institutions, from Pakistan to Europe to the United States, that have become recruiting stations and training grounds for terrorists. A comprehensive accounting of just what kinds of official Saudi support go to which schools, and where, is lacking, which has allowed all sorts of charges to be leveled against Riyadh.”<sup>73</sup> Many have also alleged that numerous radical Islamic groups that have engaged in violence in Afghanistan, Pakistan, Indonesia, and Central Asia, among other places, “are partly the fruits of this export of Wahhabism.”<sup>74</sup> According to one press report, in “Indonesia, this campaign [of Wahhabi exportation] included distributing leaflets condemning any deviation from Wahhabi teaching, building mosques and paying Indonesian students to attend the hard-line Al-Jamia Al-Islamia University in Medina – ‘Wahhabi U.’.... It is no

coincidence that most radical groups in Indonesia today have ideological affinities with Wahhabism.”<sup>75</sup>

Although numerous allegations of this type have been made, especially since September 11, 2001, the precise role of the Saudi government or officials in the alleged activities is not known. The problem appears to be serious and such allegations warrant further investigation.

### **E. Post-September 11 Saudi Government Statements on Reform**

The catastrophic events of September 11, 2001 cast an international spotlight on Saudi Arabia when it became clear that 15 of the 19 terrorist hijackers were Saudi nationals and that Saudi dissident cleric Osama bin Laden, said to be a proponent of Wahhabi ideology, was responsible for the attacks. Since September 11, the Saudi government has at times acknowledged and spoken publicly about certain aspects of its society that are in need of some kind of reform. Recent statements by the Saudi government reflect some sensitivity to international criticism, especially in the United States. They also reflect an ongoing debate among Saudi government officials, intellectuals, academics, and other leaders on the necessity of various reforms within Saudi Arabia. This debate in some respects predates September 2001, but has intensified and become more public since that time. Nevertheless, despite increased international scrutiny, domestic debate, and public statements by government officials on the need for reform, protection for religious freedom and other human rights has not been implemented in Saudi Arabia and the situation has not significantly improved.

In the weeks following the September 11 attacks, the Saudi government began a vigorous public relations initiative in the United States in an attempt to improve its image with the American people.<sup>76</sup> Over the last 18 months, high-level Saudi government officials have made numerous public statements, focused not only on their country’s cooperation in the global campaign against terrorism, but also on other issues such as political and educational reform, religious extremism, and the treatment of foreign residents and contract workers. Yet, these statements have not resulted in specific actions by the Saudi government that have led to measurable improvements in the protection of human rights. Moreover, statements regarding educational reform have been contradictory.

Reacting to findings in the 2002 Arab Human Development Report (AHDR) prepared by regional experts for the United Nations Development Program, Saudi Arabia’s Crown Prince Abdullah proposed large-scale reform in Arab countries in January 2003. The AHDR identified significant problems in the Arab world regarding a lack of political freedom, educational opportunity, economic transparency, and women’s ability to contribute to all aspects of society.<sup>77</sup> In proposing a new “Arab Charter,” Crown Prince Abdullah stated, “...that internal reform and enhanced political participation in the Arab states are essential steps for the building of Arab capabilities, and for providing the conditions for a comprehensive awakening and development of Arab human resources.”<sup>78</sup> Furthermore, in that same month a group of more than 100 Saudi intellectuals and academics met and presented Crown Prince Abdullah with a proposed national reform document that “call[ed] for an independent judiciary, the creation of civil and human rights institutions, constitutional reforms, elections to a consultative council and freedom of expression.”<sup>79</sup> In the weeks following, numerous “pro-reform” articles were published in

national and local Saudi newspapers.<sup>80</sup> However, as of this writing, specific actions have not been taken to enact changes outlined in the proposed national reform document.

There have been several official statements regarding educational reform, in part because of the asserted linkage between terrorism and the current Saudi education system. Following a government review of school textbooks in September 2002, Foreign Minister Prince Saud al-Faisal stated: “Ten percent of what we found [in Saudi textbooks] was questionable. Five percent was actually abhorrent to us. So, we took a decision to change that, and we have changed.”<sup>81</sup> Just a few months later, in January 2003, Saudi Education Minister Muhammad al-Rasheed, during a discussion with the Saudi Consultative Council, asserted that the “national school syllabus has ‘several defects’ and that [his] ministry is making every effort to address and eliminate them.”<sup>82</sup> On February 4, 2003, the Saudi government released a statement summarizing its findings of an audit conducted on its educational system.<sup>83</sup> It concluded that approximately “five percent of school textbooks and curriculum guides contained possibly offensive language” and that a program is underway to remove such materials from the schools.

However, various Saudi government officials have also stated that there is no problem with the education system and that there will be no changes made, thus raising questions about the government’s commitment to educational reform. Defense Minister Prince Sultan, quoted in an October 26, 2002 interview, stated that: “We will never change our education policy....Our country has...above all religious curricula that must never be changed.”<sup>84</sup> On October 22, 2002, Saudi Deputy Education Minister Khaled al-Awad commented on an understanding agreed to in meetings with U.S. government officials: “[The] Saudi curriculum is fine and does not encourage or boost terrorism and hatred of a member of another religion or faith.... These meetings yielded positive results, and since most of those present realized that the Saudi curricula were fine, they retracted these baseless accusations.”<sup>85</sup> In December 2002, Interior Minister Prince Naif “denied that US officials have requested their Saudi counterparts to embark on changing educational curricula” and defended the educational system.<sup>86</sup>

Senior Saudi government officials have also made statements that highlight the problem of religious intolerance and urge moderation and respect toward all elements of the Saudi population. In October 2002 and again in January 2003, Crown Prince Abdullah called on all Saudi citizens to “shun extremism and radicalism,” recognize that there should be no compulsion in religion, and practice moderation and tolerance based on Islamic principles.<sup>87</sup> At an October 2002 international conference of the Saudi government funded World Association of Muslim Youth, Crown Prince Abdullah again called for moderation in Islam and encouraged participants to engage in a dialogue among nations and to gain a better understanding of international law. According to the *Saudi Press Agency*, on November 3, 2002, Interior Minister Prince Naif publicly admonished the *mutawaa* to show more “leniency and respect toward people’s privacy and freedoms.”<sup>88</sup> In a December 2002 interview in a Saudi-funded English language weekly news magazine, Prince Naif further stated that the *mutawaa* “needs to hire well qualified people and not people of limited qualifications who act recklessly....[W]orkers of the department should gently deal with the people and avoid harshness, especially with young people.”<sup>89</sup>

According to the State Department and press reports, the Grand Mufti, the highest Islamic authority in Saudi Arabia, used several of his sermons in late 2002 to warn employers against abusing foreign workers and violating employment contracts. The head of the Council of

Senior Ulema reportedly further warned that abuse of expatriate workers violates Islamic tenets. In February 2003, the Council issued a *fatwa* condemning and forbidding violent attacks against non-Muslims residing in Saudi Arabia.<sup>90</sup>

Although there have been calls for moderation, in March 2003, Defense Minister Prince Sultan made clear that there would be no change in the current policy of the government prohibiting churches in Saudi Arabia: “We are not against religions at all...but there are no churches — not in the past, the present or future.... Those who talked [about churches in Saudi Arabia] are church people and they are, unfortunately, fanatics.”<sup>91</sup> He also reaffirmed the government’s position that non-Muslims are free to worship privately in their homes.<sup>92</sup>

Regrettably, despite unprecedented debate, there has been no specific subsequent action that has fundamentally improved protection for human rights, including religious freedom, in Saudi Arabia.

## **F. U.S. Policy**

U.S.-Saudi relations have long been and continue to remain close, despite strain since the September 11 attacks. However, the fact that 15 of the 19 hijackers who perpetrated those attacks were Saudi nationals has raised questions about the Saudi government’s promotion of extremism and willingness to cooperate in the campaign against terrorism. A high-level delegation, led by Foreign Minister Prince Saud al-Faisal, arrived in Washington just days after September 11 to convey the “condolences of King Fahd and the Saudi people to President George W. Bush, the American people and victims of the terrorist attack.”

Close consultations between the United States and Saudi Arabia continue on the campaign against terrorism and on security, economic, and development issues such as the Middle East peace process.<sup>93</sup> In late February 2002, Crown Prince Abdullah outlined a peace initiative for the Israeli-Palestinian conflict that for the first time promised complete normalization of relations by Saudi Arabia and other Arab states with Israel. The Bush Administration welcomed this proposal. The Crown Prince visited President Bush at his Texas ranch in April 2002 to discuss a variety of issues, including the Saudi peace initiative, the campaign against terrorism, and the future of U.S.-Saudi relations.

The continued availability of reliable sources of oil, particularly from Saudi Arabia, remains important to the United States. Saudi Arabia is often the leading source of oil imported to the United States, providing about 20 percent of total U.S. crude imports and 10 percent of U.S. consumption. The United States is Saudi Arabia’s largest trading partner, and Saudi Arabia is the largest U.S. export market in the Middle East.<sup>94</sup> In addition to economic ties, a longstanding security relationship continues to be a central component of U.S.-Saudi relations. According to the Bush Administration, Saudi Arabia is an important partner in the campaign against terrorism, providing assistance in the military, diplomatic, and financial arenas. Following initial resistance to a U.S.-led war in Iraq, the Saudi government subsequently called for Saddam Hussein to step down and decreased its public opposition to the war, although it continued to refuse access to military bases and airspace. In late April 2003, just before this report went to print, the United States announced that it was withdrawing virtually all of its military personnel from Saudi Arabia over the course of the next several months.<sup>95</sup>

Despite public documentation of serious religious freedom and other human rights violations in Saudi Arabia, the U.S. government has not, until very recently, articulated in public that failure to address these violations could have an impact on U.S.-Saudi relations. A former American diplomat who served in Saudi Arabia informed the Commission that until the 1990s, the U.S. government never raised human rights issues, including religious freedom, in bilateral meetings with the Saudi government. Religious freedom is reportedly now the subject of a few private conversations between U.S. and Saudi officials. The State Department stated in its *2002 Annual Report on International Religious Freedom* that U.S. government officials have raised issues of religious freedom with Saudi officials and “sought reconfirmation” from the Saudi government of their policy to allow non-Muslims to worship privately. U.S. officials in Saudi Arabia have privately raised several specific cases of detention of individuals imprisoned on account of their religious activities. Some were released and others deported.

However, what is still severely lacking in bilateral relations between the United States and Saudi Arabia, spanning several U.S. Administrations, is public condemnation by the U.S. government for repeated violations of human rights, including religious freedom, by the Saudi government. Over the past few years, there have been only a few public statements from U.S. government officials regarding the poor conditions of religious freedom. In October 2002, at the release of the *Annual Report on International Religious Freedom*, Ambassador-at-Large for International Religious Freedom, John Hanford, said “in Saudi Arabia religious freedom, as we understand it and view it, does not exist,” and that designating Saudi Arabia as a “country of particular concern” for religious freedom violations under the International Religious Freedom Act of 1998 would be something that the State Department would “have to consider very seriously.”<sup>96</sup> Previously, in March 2002, State Department spokesman Richard Boucher stated: “There is no religious freedom in Saudi Arabia. It’s a country that, based on the guidelines in the law, came very close to the threshold of being listed [a country of particular concern].”<sup>97</sup> Yet, to date, there have been no statements from the President, Secretary of State, Assistant Secretary for Human Rights, or Assistant Secretary for Near Eastern Affairs on Saudi Arabia’s poor record on human rights, including religious freedom.

In recent years, reports indicate that female American military officers stationed in Saudi Arabia were required to wear Muslim religious garb and to ride in the backseat of a vehicle accompanied by a man when off U.S. military compounds. The Pentagon recently changed its policy requiring female military officers to wear the *abaya* (religious garb which covers a woman from head to toe).<sup>98</sup> Other reports indicate that the U.S. government still does not allow American military personnel to wear religious jewelry or any outward expressions or symbols of their faith.<sup>99</sup> U.S. personnel are also reportedly prevented from celebrating Christmas on American military bases and any worship services held for military personnel are limited to “counseling sessions.”<sup>100</sup> In 1990, while visiting troops gathering to defend Saudi Arabia in the first Gulf War, President George H.W. Bush reportedly was forbidden to say Thanksgiving grace on Saudi soil and was therefore forced to do so aboard a U.S. ship in international waters.<sup>101</sup>

Some U.S. Embassy personnel have reported that the embassy in the past has curbed Christian worship services for embassy employees to accommodate the *mutawaa*, who had begun to patrol inside the diplomatic quarter – where most foreign diplomats reside – and take down license plate numbers of attendees at embassy-sponsored services. According to the State Department, worship services are currently functioning. One former Foreign Service Officer



claims that in the early-to mid-1990s, it was U.S. policy to respond to inquiring Americans that the U.S. consulate in Jeddah did not host Christian worship services.<sup>102</sup> He also claims that Jewish-American Foreign Service Officers were excluded from being assigned to tours of duty in Saudi Arabia in the 1990s in response to objections by the Saudi government.

Since September 11, 2001, leading members of Congress and the foreign policy community have raised, in unprecedented fashion, questions about the state of the U.S.-Saudi relationship. In October 2001, Senators John McCain and Joseph Lieberman charged the governments of Egypt and Saudi Arabia with being weak in their support for the U.S. campaign against terrorism. Secretary Powell responded by noting that both Egypt and Saudi Arabia had responded to every request relating to counter-terrorism that the United States had made of them. Yet, in congressional testimony, foreign policy journals, and in op-ed pages former policymakers, scholars, and foreign policy experts have continued to question the strength and direction of U.S.-Saudi relations and have encouraged reconsideration of U.S. policy. In July 2002, a Rand Corporation consultant, in a presentation to the Defense Policy Board of the Pentagon, stated, among other things, that Saudi Arabia should be viewed as an adversary rather than an ally and that the “Saudis are active at every level of the terror chain, from planners to financiers, from cadre to foot-soldier, from ideologist to cheerleader.”<sup>103</sup> When the contents of the presentation were leaked to the press, several senior administration officials immediately distanced the U.S. government from the position, although at least one member of the Board openly expressed agreement with at least parts of the presentation.<sup>104</sup> Despite a vigorous debate on these issues outside of the government, the Administration has made no public show of reassessing its Saudi policy.

In August 2002, more than 600 family members of the September 11 victims filed a \$1 trillion lawsuit against Saudi government officials and financial institutions, charging they financed Osama bin Laden and the al-Qaeda network that was responsible for the attacks on the World Trade Center and Pentagon. According to a press report, some plaintiffs in the case claim that the U.S. government is “pressuring them to pull out of the lawsuit in order to avoid damaging US-Saudi relations, threatening them with the prospect of being denied any money from the government’s own compensation scheme if they continue to pursue it.”<sup>105</sup>

In 2002, Congress focused more attention on Saudi Arabia than in several recent years combined. Through a series of hearings and several other activities, various aspects of U.S.-Saudi relations were scrutinized. The Middle East and South Asia Subcommittee of the House International Relations Committee held a hearing on the future of U.S.-Saudi relations in May 2002 at which numerous concerns were raised, including the Saudi government’s exportation of extremism globally, its funding of *madaris* that promote intolerance, particularly in South and Central Asia, and its treatment of women and religious minorities. The Congressional Human Rights Caucus held a Members’ briefing on the rights of women in Saudi Arabia in June 2002 – at which Commission Chair Felice Gaer testified – and the House Government Reform Committee has held a series of hearings on cases of alleged child abduction. Several Members of Congress traveled to Saudi Arabia in September 2002 to raise the abduction issue with Saudi officials. According to the State Department, the Saudi government has subsequently set up a small inter-ministerial group to work on child custody cases.

Also, in the last Congress, a resolution was introduced in the House in June 2002 (H.Con.Res. 432) urging Saudi Arabia to review and reform its educational curriculum. In May 2002, S.Res. 258 was introduced, urging Saudi Arabia to dissolve its “martyrs” fund, which provided millions of dollars to Palestinian families of suicide bombers, and “to refuse to support terrorism in any way.” No further action was taken on these legislative measures. In the 108<sup>th</sup> Congress, a resolution was introduced in the Senate in March 2003 (S.Con.Res. 14), very similar to H.Con.Res. 432 but which went further by requesting that the U.S. Representative at UNESCO address educational reform in Saudi Arabia at the 2003 General Conference session and encourage UNESCO to examine the Saudi educational system and to “monitor the progress of the efforts to reform the curriculum.”

## **G. Commission Recommendations**

The continued absence of religious freedom in Saudi Arabia requires a vigorous response by the U.S. government. To that end, the Commission makes the following recommendations.

### **I. Advocate Effective Guarantees of Religious Freedom and Necessary Action to Implement Those Guarantees**

A core goal of U.S. engagement with Saudi Arabia should be the protection and implementation of the universal right to freedom of religion for all Saudi nationals and foreign residents. At a minimum, this should include guarantees and the implementation, in a constitution and through other mechanisms, of the following components of that right as specified in international instruments:

- the freedom to have or to adopt a religion or belief, including the guarantee that no one shall be subject to coercion which would impair that freedom;
- the freedom, either individually or in community with others and in public or private, to manifest a religion or belief in worship, observance, practice, and teaching;
- equal protection of the law and the equal right of men and women to the enjoyment of their human rights, including religious freedom; and
- the rights and duties of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their convictions, as provided in the Universal Declaration of Human Rights, the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the Convention on the Rights of the Child.<sup>106</sup>

**1. The U.S. government should urge the Saudi Arabian government to take steps toward the implementation of the rights stated above. Initial measures that could immediately be implemented include the following:**

**1.a. genuinely safeguard the freedom to worship privately, as affirmed by Saudi government officials, of non-Muslims and of those Muslims who do not follow the government’s version of Islam. As requested by the relevant**

**communities, this should include immediate permission for clergy to enter the country and perform private religious services;**

**1.b. permit non-Wahhabi places of worship, such as churches, to function openly in special compounds or zones for foreigners or in unadorned buildings designated for this purpose;**

**1.c. allow foreign clerics openly to wear religious garb and foreign nationals to possess religious literature and openly wear or carry non-Muslim religious symbols;**

**1.d. entrust enforcement of the law to regular professionals in law enforcement agencies subject to judicial review and appropriate human rights norms, and dissolve the Committee for the Propagation of Virtue and the Prevention of Vice (*mutawaa*);**

**1.e. establish a mechanism to review cases of persons detained under suspicion of or charged with religious, political, or security offenses and release those who have been imprisoned solely because of their religious beliefs or practices, such as those charged with apostasy, blasphemy, criticizing the government, and sorcery, as well as any others who have been unjustly detained or sentenced;**

**1.f. end state prosecution of apostasy, blasphemy, criticizing the government, and sorcery;**

**1.g. permit the establishment of independent non-governmental organizations to advance human rights and to promote tolerance, and create an independent human rights commission for those same purposes; and**

**1.h. ratify and fully comply with international human rights instruments and cooperate with UN human rights mechanisms; in particular, ratify and implement the protections of the International Covenant on Civil and Political Rights (ICCPR).**

As stated above, on March 10, 2003 the Saudi Defense Minister reaffirmed the Saudi government's policy that religious worship of non-Muslims in private is permissible. However, this policy is not reflected in practice. Saudi authorities continue to raid religious gatherings in private homes and arrest, detain, and deport foreign workers.

The right to freedom of religion will not exist in Saudi Arabia until everyone in the country is guaranteed the freedom to manifest his or her religion or belief "either alone or in community with others and in public or private."<sup>107</sup> A first step for the Saudi government to promote religious freedom is to clarify and safeguard the freedom to worship in private. The U.S. government should consistently press the Saudi government to do so.

A second small step would be to allow non-Wahhabi places of worship. In each of the other Gulf states on the Arabian Peninsula, churches and Shi'a mosques are permitted to function without government interference, officially or unofficially. In Oman, both Christian and Hindu public worship is permitted. In Qatar and the United Arab Emirates (UAE), authorities have given de facto recognition to some Christian denominations and have permitted churches to be constructed and to operate in accordance with local customs.<sup>108</sup> The Qatari government, which also follows the Wahhabi interpretation of Islam, "made a verbal commitment to allow the churches to operate without interference" in 1999.<sup>109</sup> The UAE government issues land use permits for some Christian denominations to build and operate churches. Both Qatar and the UAE have gradually, over the years, become more tolerant and accepting of non-Muslims in their respective countries. The U.S. government should press the Saudi government to take steps to emulate such models of progressive tolerance. U.S. government officials already have indicated that encouraging "the Saudi government to furnish unadorned buildings for non-Muslim religions prohibited from practicing their faith" would be one practical way "for moving forward."<sup>110</sup>

As indicated in this report and in the findings of the UN Committee Against Torture, the *mutawaa* consistently abuse their authority and harass, detain for long periods, and beat both Saudis and non-Saudis. Based on repeated reports of abuse and clear violations of internationally recognized human rights, the U.S. government should press the Saudi government to dissolve the *mutawaa*.

As discussed above, there are individuals, both Saudi and non-Saudi, who have been charged by the Saudi government with religious, political, and security offenses based on religious belief or practice, such as those charged with apostasy, blasphemy, criticizing the government, or sorcery. The U.S. government should urge the Saudi government to cease such prosecutions and to establish a mechanism to review cases of those that have been charged wrongly and to release any persons who are detained because of religion or belief.

NGOs are not legally permitted to be established and operate in Saudi Arabia. The Saudi government has stated that any NGO critical of government policies would not be acceptable. The Commission received reports that in the fall of 2002, a Saudi national requested permission from the government to establish a human rights NGO. In January 2003, after repeated requests, the individual never heard back from the government and thus decided to begin functioning openly without government approval. To date, the Commission has not received any information on whether the government has interfered with its operation. The U.S. government should press the Saudi government to encourage openness and transparency in its political system and permit the establishment of independent NGOs to advance human rights and to promote tolerance.

Saudi Arabia has been an active member of the United Nations and has sought greater participation in the international community, including membership in the World Trade Organization. Yet, the Saudi government has repeatedly stated that it disagrees with "internationally accepted definitions of human rights and viewed its interpretation of Islamic law as the only necessary guide to protect human rights."<sup>111</sup> In recognition of the role that Saudi Arabia seeks to assume in international affairs, the U.S. government should urge the Saudi government to respect international norms by ratifying basic human rights treaties such as the

ICCPR, and by implementing the human rights protections contained in the international treaties to which it is already a party. Saudi Arabia is a state party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Elimination of all Forms of Racial Discrimination, and its human rights practices have been subject to scrutiny by the respective treaty bodies. In 2000, Saudi Arabia ratified the Convention on the Elimination of All Forms of Discrimination Against Women, but has entered several significant reservations to the treaty and has yet to submit a report on its compliance with the convention. Saudi Arabia has not yet signed or ratified the ICCPR. On numerous occasions, Saudi officials have publicly and privately stated that they intend to do so.<sup>112</sup>

The Saudi government granted a visit of the UN Special Rapporteur on the Independence of Judges and Lawyers in October 2002, the first time it has extended an official invitation to a Special Rapporteur of the UN Commission on Human Rights. However, the Saudi government has yet to extend invitations to the UN Special Rapporteur on Freedom of Religion or Belief or the Special Rapporteur Against Torture. The Saudi government also hosted a delegation from Human Rights Watch in January 2003.

In those instances when Saudi Arabia has cooperated with international human rights mechanisms, serious concerns have been identified and recommendations for addressing those concerns have been put forward. The conclusions and recommendations of the UN Committee Against Torture, the Committee on the Rights of the Child, and the UN Special Rapporteur on the Independence of Judges and Lawyers have been discussed above. The U.S. government should urge the Saudi government to cooperate with international human rights mechanisms and address the concerns and implement the recommendations of those bodies.

**2. The U.S. government should urge the Saudi government (a) to exclude from all textbooks any language or images that promote enmity, intolerance, hatred, or violence toward any group of persons based on faith, gender, ethnicity, or nationality; and (b) to include in all school curricula, in school textbooks, and in teacher training the concepts of tolerance and respect for human rights, including religious freedom. Textbooks should be reviewed in light of the standards for education set out in the Universal Declaration of Human Rights.**

As discussed above, Saudi officials have issued conflicting messages regarding the government's willingness to address the problem of offensive and discriminatory language in government published textbooks. State Department Spokesman Richard Boucher recently stated that the U.S. government intends to work with the Saudi government to "eliminate language of intolerance...in school textbooks."<sup>113</sup> As of the date of this report, however, no specific initiatives have been announced. The U.S. government should work closely with the Saudi government on any efforts to address the issue in school curricula, textbooks, and teacher training, as well as request to review the audit that the Saudi government claims to have conducted in recent months on offensive language in textbooks.<sup>114</sup>

Article 26(2) of the Universal Declaration of Human Rights states that "[Education] shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace."<sup>115</sup> Criteria

for reviewing textbooks and other educational materials have been developed by several international bodies, such as UNESCO.<sup>116</sup>

## **II. Address Global Propagation**

**3. The U.S. government should undertake a study to determine whether the Saudis are directly or indirectly funding efforts to propagate globally, including in the United States, a religious ideology that explicitly promotes hate, intolerance, and other human rights violations, and in some cases violence, toward members of other religious groups, both Muslim and non-Muslim. Congress should authorize and fund such a study. Findings of this study should be reported to Congress within six months after funds are appropriated.**

**In conjunction with the above study, the U.S. government should request the Saudi government to provide an accounting of what kinds of Saudi support go to which religious schools, mosques, centers of learning, and other religious organizations globally. A list of such places in the United States should be specifically requested.**

**4. In its bilateral engagement with Saudi Arabia, the U.S. government should urge the Saudi government to cease any funding of efforts to propagate outside of Saudi Arabia any religious ideology that explicitly promotes hate, intolerance, and other human rights violations, including violence.**

In its May 2002 annual report, the Commission urged the State Department to “pay close attention to activities undertaken by the Saudi government that have detrimental effects on the protection of religious freedom in countries outside of Saudi Arabia. It should report on such activities and take further action as appropriate.”<sup>117</sup> There is no indication that the U.S. government has taken any action on this recommendation.

As detailed above, since the September 11 attacks, there has been a growing number of reports that funding coming from Saudi Arabia has been used to finance religious schools and other activities in several countries that are alleged to support Islamic militants and extremists throughout the world. The extent of the involvement of the government of Saudi Arabia in these funding activities is unclear, but some reports allege a direct involvement by organizations funded by the Saudi government or members of the Saudi royal family in some of these activities.<sup>118</sup> The Commission has reported on several countries, such as Indonesia and Pakistan, where Islamic militant and extremist groups have committed severe violations of religious freedom against both Muslims and non-Muslims.

The preponderance and seriousness of these reports strongly suggest that the U.S. government should investigate allegations that Saudi Arabia has provided funding for training or other support for groups that commit human rights abuses. The State Department should be required to submit a periodic public report to Congress on this issue, including information on any Saudi government cooperation or response. Given the dominance of the Saudi government by the royal family, which is heavily supported by state funds, the report should address the activities of government officials, members of the royal family, as well as organizations that receive funding from the government. The Saudi government has released two reports,

“Initiatives and Actions in the Fight Against Terrorism,” and “Initiatives and Actions Taken by the Kingdom of Saudi Arabia in the Financial Area to Combat Terrorism,” in August and December 2002 respectively, on measures it has taken or plans to take to combat terrorism generally and suppress the financing of terrorism.<sup>119</sup> However, it has not yet made any statement regarding the widespread accusations that it propagates its intolerant religious ideology globally. The Saudi government has a responsibility to monitor carefully the educational and other institutions it supports. The U.S. government should demand that Saudi funds not support any schools, mosques, or other activities that are directly or indirectly connected with the spread of hatred and intolerance or with discrimination or other violations of human rights, as well as violent attacks.

The Commission is not recommending that the U.S. government conduct a study on the nature of the religion of Islam or the Saudi government’s favored interpretation of Islam. Rather, it proposes a study on the alleged activities of a government that may have a strong effect on the protection of religious freedom and the promotion of violence and terrorism worldwide. The U.S. government should be concerned when there are credible allegations that a foreign government, which itself is a severe violator of religious freedom and other human rights, is engaging in activities that have a detrimental effect on the protection of freedom of religion and belief and the obligation not to destroy the rights of others outside of that country. Furthermore, when the promotion of these activities is linked to violence targeting persons on account of their religion, a state may be violating its obligation to ensure that rights are guaranteed.

### **III. Use U.S. Leverage to Encourage and Implement Reform**

**5. In its bilateral relations with Saudi Arabia and in multilateral settings, the U.S. government, both in public and in private, should raise concerns about violations of freedom of religion and related human rights. Congress should hold biannual hearings at which the State Department reports on what issues have been raised and what actions have been taken in light of the Saudi government’s response.**

Some U.S. government officials have indicated that the United States prefers a “behind-the-scenes approach” to raising religious freedom concerns with the Saudi government.<sup>120</sup> However, despite private efforts by the U.S. government, religious freedom conditions in Saudi Arabia have not improved. The U.S. government should, therefore, also raise its concerns in public, both bilaterally and multilaterally. The State Department should report to Congress on the status of U.S. initiatives and programs in Saudi Arabia, including those outlined in recommendations 7 and 9 of this report, as well as progress on addressing the religious freedom concerns presented in recommendations 1 and 2.

**6. The U.S. government should designate Saudi Arabia a “country of particular concern” under the International Religious Freedom Act of 1998 (IRFA).**

In September 2002, the Commission recommended for the third consecutive year that Saudi Arabia be designated a “country of particular concern” (CPC). The Commission firmly believes that, based on public sources of information and its own investigation, Saudi Arabia

continues to engage in systematic, ongoing, and egregious violations of religious freedom, thus meeting the threshold for CPC designation. Indeed, how could a country where religious freedom does not exist fail to qualify for CPC designation?

Over the past three years, the State Department has asserted several reasons for not designating Saudi Arabia as a CPC. In September 2000, then Ambassador-at-Large for International Religious Freedom Robert Seiple, during an American Embassy TV network program, inexplicably stated that the State Department had “decided that there was not religious persecution in Saudi Arabia.” Ambassador Seiple went on to say that “if there had been [religious persecution] we would have been obliged by the legislation to designate the country as a ‘country of particular concern’ and look at a various list of sanctions that could be applied.”<sup>121</sup> In October 2001, following the release of the State Department’s 2001 *Annual Report on International Religious Freedom*, Department Spokesman Richard Boucher affirmed that because the religious freedom situation had not changed in Saudi Arabia that year, the decision on CPC designation “has not changed.”

In October 2002, Ambassador-at-Large for International Religious Freedom John V. Hanford III suggested that designating Saudi Arabia as a CPC would be something the State Department would “have to consider very seriously.”<sup>122</sup> Despite considerable debate on the issue and this Commission’s recommendation, in March 2003, the Secretary of State failed to designate Saudi Arabia.<sup>123</sup> Shortly after the announcement, when asked why, State Department Spokesman Boucher said: “There is no religious freedom in Saudi Arabia. It’s a country that, based on the guidelines in the law, came very close to the threshold of being listed. However, it was the recommendation of all the experts involved in the government that we continue the same listings as last year and that we look for ways of working with the Saudi Government to try to take advantage of any opportunities there might be to improve the state of religious freedom in Saudi Arabia.”<sup>124</sup>

The Department’s statement unfortunately, and without explanation, ignores the recommendation of this Commission, which is a governmental body of experts. IRFA requires that CPC designation review “shall take into account any findings or recommendations by the Commission with respect to the foreign country.”<sup>125</sup> Moreover, CPC designation does not preclude the U.S. government from pursuing the most effective ways to improve religious freedom in Saudi Arabia. In fact, that is a requirement following CPC designation, as the Administration determines what actions to take in response.

The fluctuating reasons offered by the State Department suggest that neither the current nor the previous Administration has been able to articulate a clear policy on opposing religious freedom violations in Saudi Arabia.

**7. The U.S. government should expand its efforts to support initiatives to advance human rights, including freedom of religion and belief, in Saudi Arabia through its (a) human rights assistance; (b) cultural, academic, visitor and other exchanges; (c) international broadcasting; and (d) other public diplomacy programs.**



**Since very few initiatives to date have been aimed specifically at Saudi Arabia in these areas, the U.S. government should develop a country plan identifying and implementing activities concerning Saudi Arabia and report to Congress on the objectives and details of the plan. In particular:**

**7.a. the State Department should ensure that existing or proposed democracy, human rights, and other related programs directed toward the Middle East in general, such as the Middle East Partnership Initiative (MEPI) and the Middle East Democracy Fund (MEDF), include components specifically for Saudi Arabia; and**

**7.b. the U.S. government should take steps to overcome obstacles to broadcasting Radio Sawa throughout Saudi Arabia; Congress should ask the State Department to report on its progress in doing so.**

The Commission has been informed that at present there are no U.S.-funded democracy or human rights programs functioning in Saudi Arabia, unlike in most other countries in the Middle East where such programs exist. The State Department should develop a plan to use the existing tools of U.S. assistance and public diplomacy to promote the rule of law, build civil society, and advance human rights, including religious freedom, and tolerance in Saudi Arabia. The Department should share the plan with Congress, and periodically report on its implementation, as discussed in recommendation 5. The U.S. government should press the Saudi government to cooperate in these efforts.

In March 2002, President Bush announced that he had asked Secretary Powell to develop “a new initiative aimed at increasing both economic, and educational opportunities throughout the region [the Arab world].”<sup>126</sup> In December 2002, Secretary Powell launched a new set of programs called the U.S. Middle East Partnership Initiative (MEPI). According to Assistant Secretary of State for Near Eastern Affairs William Burns, the goals of the initiative are “to promote key regional reform issues, such as broadening economic and educational opportunities, and expanding political participation, in a systematic way.”<sup>127</sup> In addition to the current programs in countries such as Egypt, Bahrain, Yemen, and Morocco, the U.S. government should ensure that MEPI include specific programs that are created for and implemented in Saudi Arabia. The Middle East Democracy Fund (MEDF) currently has programs targeting the Arab world and some Gulf states, but not Saudi Arabia. The U.S. government should use MEPI and MEDF as a means to support and encourage the internal reform debate in Saudi Arabia, on the one hand, while pressing the Saudi government to implement reforms, on the other.

The State Department itself has endorsed the feasibility of these efforts in March 2003 congressional testimony. Assistant Secretary Burns indicated that MEPI could: (1) encourage efforts such as the national reform document signed by more than 100 societal leaders in Saudi Arabia; (2) help revamp the education system; (3) promote the rule of law; and (4) provide technical assistance to Saudi Arabia should Crown Prince Abdullah want to advance further his government’s initiative to join the World Trade Organization.<sup>128</sup>

Saudi Arabia is an exception to the otherwise broad availability of Radio Sawa in the Middle East. Radio Sawa is operated by the Broadcasting Board of Governors (BBG), an

agency of the U.S. government, and broadcasts music, news, and commentary in Arabic throughout the Middle East 24 hours a day. Radio Sawa is available through FM or medium wave broadcast in Jordan, Kuwait, United Arab Emirates, Qatar, Bahrain, Djibouti, Egypt, and Iraq. It is also available through three satellite frequencies.

Radio Sawa produces substantive programming that presents a view of America and the democratic process that is otherwise unavailable in the region. According to the BBG, its mission “is to promote freedom and democracy by encouraging open discussion and an exchange of views.” On January 24, 2003, Secretary of State Powell spoke on Radio Sawa to launch a weekly program called *The Free Zone*. This program examines a host of issues related to democracy and human rights, including religious freedom, women’s issues, press freedom, the role of civil society, and elections. In his radio address, Secretary Powell stated that: “Men and women have certain universal rights.... And we believe that democracy is the best way to allow [people] to have those rights...[Arab governments] must give their people a right to choose...a proper form of political system for those people and in line with their religion ...their culture [and] their beliefs.”<sup>129</sup> This type of programming, along with other news reporting, can help raise public interest and awareness in Saudi Arabia of the value of advancing democracy, human rights, including freedom of thought, conscience, religion or belief, as well as promoting religious tolerance. Kenneth Tomlinson, chairman of the BBG, has indicated that when the war in Iraq is over, Radio Sawa programming will focus on “building democracies in the Arab world, advancing human rights, and promoting religious diversity.”<sup>130</sup>

Radio Sawa is only available in the evenings to a small portion of the eastern and northern parts of Saudi Arabia through existing FM transmitters in Bahrain and Qatar and through medium wave transmitters from Rhodes and Cyprus. The Commission has been told that the Saudi government has refused to permit the construction or use of facilities to broadcast Radio Sawa throughout the country. On the principle of reciprocity, because the Saudi controlled media have unrestricted access to the U.S. market, the U.S. government should press the Saudi government and overcome the obstacles to broadcasting Radio Sawa throughout Saudi Arabia.

#### **IV. Change U.S. Government and Business Practices**

The following two recommendations can be implemented immediately by the U.S. government as they relate directly to U.S. official and business practices.

**8. The U.S. government should ensure that any existing restrictions on the religious practice of U.S. military and diplomatic personnel be lifted permanently and that American citizens visiting or residing in Saudi Arabia have full access to embassy and consular services under current U.S. law, particularly any American citizens seeking refuge or assistance.**

As mentioned above, there have been reports that allege that U.S. policy restricts American military and diplomatic personnel from worshipping on military and diplomatic compounds. In a response to a March 2003 Commission letter, the Department of Defense stated:

U.S. military personnel serving in Saudi Arabia practice their religion freely within the confines of any U.S. military facility in the Kingdom. We are unfamiliar with any Saudi government restrictions on such practices, and the Department of Defense currently has a number of military chaplains representing many faiths, who provide services to our military personnel on bases in Saudi Arabia.... Regarding abayas, with the passage of Section 563 of the National Defense Authorization Act for Fiscal Year 2003 (HR 4546) General Franks has issued a directive stating that the wearing of abayas, both on or off duty by servicewomen, is not required. This is the policy U.S. commanders are now implementing.<sup>131</sup>

The U.S. government should ensure that restrictive practices do not exist and that they become a thing of the past. To the extent that U.S. military personnel remain stationed in Saudi Arabia, the U.S. government should conduct a “review of all orders and instructional briefings issued to troops relating to religious adornments and expressions” and rescind “any directives that restrict personal religious expressions.”<sup>132</sup> It should also ensure that current U.S. government and military practices comport with international human rights standards.

On March 25, 2003, the United States Postal Service announced “that certain conditions and restrictions apply when mailing items to military and civilian personnel deployed to Operation Iraqi Freedom in the Middle East and Persian Gulf areas,” including Saudi Arabia.<sup>133</sup> Among the prohibitions are “any matter containing religious materials contrary to the Islamic faith.”<sup>134</sup> Enforcing this prohibition could put U.S. officials in the position of determining the suitability of distributing religious materials through the U.S. mail according to the standards of Islam rather than the standards of the First Amendment to the U.S. Constitution. The Postal Service should rescind any restrictions on religious materials.

In June 2002, the House Government Reform Committee held a hearing on child custody cases involving American mothers and Saudi fathers. According to a witness, several years ago an American citizen had been escorted out of the U.S. embassy in Riyadh while seeking refuge with her two small children.<sup>135</sup> According to U.S. Representative Dan Burton, the “Saudi Foreign Minister pledged that no adult American woman will ever be held in Saudi Arabia against her will....” U.S. Ambassador to Saudi Arabia Robert Jordan has “pledged that no American seeking help will ever again be turned away from the Embassy.”<sup>136</sup> The U.S. government should ensure that these guarantees are upheld.

**9. The U.S. government should investigate reports that some U.S. companies doing business in Saudi Arabia engage in practices that constitute or facilitate discrimination or violations of religious freedom or other human rights. A public report of the investigation’s findings should be submitted to Congress and updated every year thereafter. If such practices are found, the U.S. government should take steps to encourage reform of discriminatory practices.**

The Commission is concerned about reports that some U.S. businesses in Saudi Arabia have modified their policies and have adopted discriminatory practices in accordance with local customs. For example, some U.S. restaurant chains doing business in Saudi Arabia reportedly maintain segregated dining areas, one for men and another only for “women and families,” and

also do not allow any women to enter the establishment unless accompanied by their husbands.<sup>137</sup> Other reports indicate that some U.S. businesses do not hire women at all or, in some cases, women are hired but segregated from men in the workplace. These kinds of practices, if confirmed, would illustrate acquiescence to demands to comply with strict religious norms that promote sex discrimination.

The U.S. government should investigate these allegations and report to the Congress on the extent to which U.S. businesses are engaging in discriminatory practices.<sup>138</sup> While U.S. businesses operating in Saudi Arabia have an obligation to respect Saudi law, following customs and practices that violate international norms regarding discrimination and other human rights undermines respect for those norms. If such practices exist, the U.S. government should encourage reform, for example, by encouraging U.S. businesses to adopt workplace principles that uphold the rights of workers and promote fair business practices based on previously established guidelines such as the Sullivan principles or the UN Global Compact.<sup>139</sup>

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<sup>1</sup> See World Bank country profile of Saudi Arabia, (<http://devdata.worldbank.org/external/CPProfile.asp?CCODE=SAU&PTYPE=CP>, accessed February 12, 2003); and CIA World Fact Book (<http://www.cia.gov/cia/publications/factbook/geos/sa.html>, accessed February 12, 2003). The Web site of the Royal Embassy of Saudi Arabia in Washington, D.C. estimates its population at 22.8 million (<http://www.saudiembassy.net/profile/saudi-profile00.htm>, accessed February 19, 2003).

<sup>2</sup> Ismailis, also known as “Seveners,” dispute the identity of the seventh Imam in the Shi’a tradition in the eighth century and have developed their own independent Shi’a sect that has spread in small pockets throughout the Middle East, Central and South Asia and later in Europe and North America. See Encyclopedia.com: Ismailis (<http://www.encyclopedia.com/html/I/Ismailis.asp>, accessed February 17, 2003).

<sup>3</sup> U.S. Department of State, *International Religious Freedom Report*, “Saudi Arabia” October 2002 (<http://www.state.gov/g/drl/rls/irf/2002/14012.htm>, accessed April 21, 2003).

<sup>4</sup> In February 2003, Interior Minister Prince Naif announced that the foreign workforce will not exceed 20 percent by 2013 and that no single nationality should exceed 10 percent of the total population of expatriates in Saudi Arabia. See *Ain-Al-Yaqeen*, February 7, 2003 (<http://www.ain-al-yaqeen.com/issues/20030207/feat10en.htm>, accessed April 3, 2003).

<sup>5</sup> Human Rights Watch, *World Report 2003: Saudi Arabia*, January 14, 2003 (<http://www.hrw.org/wr2k3/mideast6.html>, accessed April 11, 2003).

<sup>6</sup> Historically, the al-Saud royal family maintained close ties with religious leaders, especially with members of the al-Shaykh family – several hundred of which are direct male descendants of Muhammad ibn Abd al-Wahhab. Since the late 1970s, as declining oil revenues eroded the standard of living in Saudi Arabia, and after Muslim extremists forcibly took over the Grand

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Mosque in 1979 resulting in dozens of executions by Saudi authorities, the Saudi government renewed its alliance with the Wahhabi religious establishment. The government has over time conceded greater responsibility to the Wahhabi clerics in areas important to them, including the judiciary, education, religious guidance, and the spread of Islam globally. At present, the Ministers of Justice and Islamic Affairs and the President of the Higher Council of Ulema are members of the al-Shaykh family. For a listing of current government officials in Saudi Arabia, see CIA, "Chiefs of State and Cabinet Members of Foreign Governments," *Saudi Arabia* (<http://www.cia.gov/cia/publications/chiefs/chiefs154.html>, accessed February 16, 2003).

<sup>7</sup> There are a few Shi'a mosques that function in the Eastern province, primarily in Qatif. Western critics generally refer to the Saudi religious establishment as "Wahhabi," although within Saudi Arabia they typically refer to themselves as *muwahhidun* (unitarians).

<sup>8</sup> Universal Declaration of Human Rights (1948), Art. 18; International Covenant on Civil and Political Rights (1966), Art. 18; UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief (1981), Art. 1; and the UN Convention on the Rights of the Child (1989), Art. 14.

<sup>9</sup> Library of Congress, "Saudi Arabia: Shi'a," *Country Studies: Saudi Arabia* ([http://memory.loc.gov/cgi-bin/query/r?frd/cstdy:@field\(DOCID+sa0095\)](http://memory.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+sa0095)), accessed February 28, 2003).

<sup>10</sup> In Gulf states such as Qatar, the United Arab Emirates (UAE), Kuwait, Oman, and Bahrain, non-Muslim worship is permitted to varying degrees. In Kuwait and Yemen, churches are recognized and public worship is permitted. The UAE and Qatar have specifically designated or given land to Christian denominations to build churches and generally do not interfere in the religious activities of non-Muslims. In Oman, both Christian and Hindu public worship is permitted.

<sup>11</sup> See Human Rights Committee, *General Comment No. 15 (27) on the Position of Aliens Under the Covenant*, UN GAOR 28<sup>th</sup> Session, July 22, 1986, Paragraphs 2, 7, UN Doc. CCPR/C/21/Add.5/Rev.1 (noting that "the general rule is that each one of the rights of the Covenant [on Civil and Political Rights] must be guaranteed without discrimination between citizens and aliens" with exception of art. 25 on political rights).

<sup>12</sup> See Human Rights Committee, *General Comment No. 22 (48) (Art. 18)*, UN Doc. CCPR/C/21/Rev.1/Add.4 (1993), ¶ 8; Arcot Krishnaswami, *Study of Discrimination in the Matter of Religious Rights and Practices*, UN Doc. E/CN.4/Sub. 2/200/Rev.1, UN Sales No. 60.XIV.2 (1960); The Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights (1984). See Art. 14, subparagraph 3 in the Convention on the Rights of the Child. The text of the CRC can be found at: (<http://www.unhchr.ch/html/menu3/b/k2crc.htm>, accessed March 30, 2003).

<sup>13</sup> 2002 *International Religious Freedom Reports*, "Saudi Arabia" (Internet).

<sup>14</sup> Blasphemy charges in Saudi Arabia generally encompass any derogatory statements made

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against Islam or the Prophet Muhammad.

<sup>15</sup> *Middle East Newslines*, “Saudis Sentence Man to Death for Insulting Religion,” February 3, 2003.

<sup>16</sup> Saudi Institute, “Religious Freedom in the Kingdom of Saudi Arabia, Focus on Citizens,” January 2001 ([http://www.saudiinstitute.org/Reports/Religious\\_Freedom/rlgfrdm\\_en.html](http://www.saudiinstitute.org/Reports/Religious_Freedom/rlgfrdm_en.html), accessed March 28, 2003).

<sup>17</sup> Based on January 2003 interviews by Commission staff with current and former foreign contract workers.

<sup>18</sup> Most recently in March and April 2003, respectively, Defense Minister Prince Sultan and Deputy Interior Minister Prince Ahmad publicly reaffirmed the Saudi government’s policy of permitting non-Muslims to worship in private.

<sup>19</sup> These criteria were outlined expressly for the Commission by the Minister for Islamic Affairs in a March 2001 meeting in Saudi Arabia.

<sup>20</sup> Formerly the jointly owned Arabian American Oil Company, Saudi ARAMCO is now wholly Saudi-owned.

<sup>21</sup> In response to inquiries in August and September 2001 by the UN Special Rapporteur on Freedom of Religion or Belief, the Saudi government claimed that Prabhu Isaac, Eskinder Menghis, and 11 other Ethiopians and Eritreans that were arrested during the summer of 2001, were all expelled from the country for converting residential apartments in Jeddah into places of refuge for people residing in the country illegally. See report submitted by Mr. Abdelfattah Amor, Special Rapporteur on Freedom of Religion or Belief, in accordance with Commission on Human Rights resolution 2000/33, E/CN.4/2002/73, March 14, 2002, ¶¶ 66-67 (<http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/06a76b69c494060cc1256b9e00456a85?Opendocument>, accessed February 19, 2003).

<sup>22</sup> See International Christian Concern’s profile on Saudi Arabia ([http://www.persecution.org/humanrights/saudi\\_arabia.html](http://www.persecution.org/humanrights/saudi_arabia.html), accessed, November 4, 2002); and Christian Solidarity Worldwide, “Saudi Arabia: Annual Report 2002” (<http://www.csw.org.uk/Protest/Saudi%20AR%202002.pdf>, accessed February 17, 2003).

<sup>23</sup> Commission staff interviewed Dennis Moreno-Lacalle in June 2002.

<sup>24</sup> *2002 International Religious Freedom Reports*, “Saudi Arabia” (Internet).

<sup>25</sup> Recent reports from interlocutors indicate that, in some cases, the government does not deport foreign workers directly but instead has begun to rely on employers to initiate the process. Some of those released in September 2002 were informed by their Saudi sponsors that they could not resume their jobs and would have to leave the country.

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<sup>26</sup> See Concluding Observations of the Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, CRC/C/15/Add.148, February 22, 2001, ¶¶ 31-32 (<http://www.unhcr.ch/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/83d5295595532530c12569ed00585df4?OpenDocument>, accessed February 5, 2002). Three of the 10 members were from Saudi Arabia, Egypt, and Qatar.

<sup>27</sup> See Donna Abu-Nasr, “Saudis Protest Religious Cops’ Role,” *Reuters*, July 31, 2002.

<sup>28</sup> See Conclusions and Recommendations of the Committee Against Torture: Saudi Arabia, CAT/CR/28/5, June 2002 (<http://www.unhcr.ch/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/a1d3cd6a1c89d294c1256bd00055bac6?OpenDocument>, accessed November 1, 2002).

<sup>29</sup> *Ibid.*

<sup>30</sup> U.S. Department of State, *International Religious Freedom Report*, “Saudi Arabia” October 2001 (<http://www.state.gov/g/drl/rls/irf/2001/5758.htm>, accessed October 31, 2002).

<sup>31</sup> Human Rights Watch, “Human Rights in Saudi Arabia: A Deafening Silence,” December 2001 (<http://www.hrw.org/background/mena/saudi/>, accessed April 15, 2003).

<sup>32</sup> U.S. Department of State, *2002 Country Reports on Human Rights Practices*, “Saudi Arabia” March 2003 (<http://www.state.gov/g/drl/rls/hrrpt/2002/18288.htm>, accessed April 11, 2003).

<sup>33</sup> Human Rights Watch, “World Report 2000,” *Human Rights Developments in Saudi Arabia* (<http://www.hrw.org/wr2k1/mideast/saudi.html>, accessed November 14, 2002).

<sup>34</sup> *New York Sun*, “The Shuttle,” April 23, 2003 (<http://daily.nysun.com/Repository/ml.asp?Issue=NYS/2003/04/23&ID=Ar00200&Mode=HTML>, accessed April 28, 2003).

<sup>35</sup> *2002 International Religious Freedom Reports*, “Saudi Arabia” (Internet).

<sup>36</sup> Saudi Institute, “Religious Freedom in The Kingdom of Saudi Arabia: A Focus on Citizens,” January 30, 2002 ([http://www.saudiinstitute.org/Reports/Religious\\_Freedom/rlg\\_en.htm](http://www.saudiinstitute.org/Reports/Religious_Freedom/rlg_en.htm), accessed April 16, 2003).

<sup>37</sup> For a detailed discussion of the violations of human rights against women, see Amnesty International Canada, “Saudi Arabia: Gross Human Rights Abuses Against Women,” September 27, 2000 (<http://www.amnesty.ca/library/mde2305700htm.htm>, accessed March 24, 2003).

<sup>38</sup> This example clearly violates Article 13 of the Universal Declaration of Human Rights (UDHR) which states that “Everyone has the right to freedom of movement and residence within the borders of each state” and that “Everyone has the right to leave any country, including his own, and to return to his country.” See Universal Declaration of Human Rights, Art. 13(1)(2)

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(<http://www.un.org/Overview/rights.html>, accessed February 25, 2003).

<sup>39</sup> *Arab News*, “Girls Education Chief Takes Early Retirement,” March 25, 2002 (<http://www.arabnews.com/SArticle.asp?ID=13755&sct=Murshid&>, accessed April 21, 2003).

<sup>40</sup> See report submitted by the UN Special Rapporteur on Freedom of Religion and Belief, Abdelfattah Amor, in accordance with Commission on Human Rights Resolution 1999/39, E/CN.4/2000/65.

<sup>41</sup> U.S. Department of State, *2001 Country Report on Human Rights Practices*, “Saudi Arabia” March 2002 (<http://www.state.gov/g/drl/rls/hrrpt/2001/nea/8296.htm>, accessed October 31, 2002).

<sup>42</sup> U.S. Department of State, *2002 Country Report on Human Rights Practices*, “Saudi Arabia,” March 31, 2003 (<http://www.state.gov/g/drl/rls/hrrpt/2002/18288.htm>, accessed April 16, 2003).

<sup>43</sup> *2002 Country Reports*, “Saudi Arabia” (Internet).

<sup>44</sup> Interviews with Commission staff in January 2003.

<sup>45</sup> U.S. Department of State, *Background Notes*, “Saudi Arabia” (<http://www.state.gov/r/pa/ei/bgn/3584.htm>, accessed November 1, 2002).

<sup>46</sup> See “Issue Brief for Congress,” *Saudi Arabia: Current Issues and U.S. Relations*. Congressional Research Service, October 3, 2002.

<sup>47</sup> U.S. Department of State: *Background Notes: Saudi Arabia* (Internet).

<sup>48</sup> *Hudud* is an Islamic legal term literally meaning “limits.”

<sup>49</sup> *Ibid.*

<sup>50</sup> These prominent clergy constitute the members of the Council of Senior Ulema, an official body created by the king in 1971 “to serve as a forum for regular consultation between the monarch and the religious establishment.” In return for official recognition of their special religious authority, the leading ulema provided implicit approval and, when requested, public sanction for potentially controversial policies. For example, in 1979 members of the Council of Senior Ulema issued a *fatwa* that sanctioned the use of force to subdue armed dissidents who had occupied the Grand Mosque in Mecca, Islam’s holiest shrine. In 1990, King Fahd received approval from the *ulema* for the deployment of U.S. military personnel on Saudi soil.

<sup>51</sup> See the government of Saudi Arabia’s 2001 report to the Committee Against Torture ([http://193.194.138.190/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/c0e2d98a58366e19c1256af00043f218/\\$FILE/G0144698.pdf](http://193.194.138.190/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/c0e2d98a58366e19c1256af00043f218/$FILE/G0144698.pdf)) and the Report on the Mission to the Kingdom of Saudi Arabia of the Special Rapporteur on the Independence of Judges and Lawyers, Dato’ Param Cumaraswamy, submitted in accordance with Commission on Human Rights Resolution



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2002/43, E/CN.4/2003/65/Add.3, January 14, 2003

([http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/1fa4d2b31bb90ce6c1256cd800372b43/\\$FILE/G0310264.pdf](http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/1fa4d2b31bb90ce6c1256cd800372b43/$FILE/G0310264.pdf), accessed April 28, 2003).

<sup>52</sup> Ibid.

<sup>53</sup> This information is based on interviews with Saudi interlocutors the Commission staff conducted in January 2003.

<sup>54</sup> See the Center for Monitoring the Impact of Peace and the American Jewish Committee, Arnon Groiss, ed., *The West, Christians and Jews in Saudi Arabian Schoolbooks*, (February 2003); see also Eleanor Abdella Doumato's forthcoming study, "Manning the Barricades: Islam According to Saudi Arabia's School Texts" in *Middle East Journal* received by the Commission in January 2003; Steven Stalinsky, "Preliminary Overview – Saudi Arabia's Education System: Curriculum, Spreading Saudi Education to the World and Official Saudi Position on Education Policy," *The Middle East Research Media Institute (MEMRI)*, December 20, 2002 (<http://www.memri.org/bin/articles.cgi?Page=countries&Area=saudiarabia&ID=SR01202>, accessed December 30, 2002); and Michaela Prokop, "The Politics of Education in Saudi Arabia," *The Royal Institute of International Affairs* (January 2003).

<sup>55</sup> See Steven Stalinsky's, "Preliminary Overview – Saudi Arabia's Educational System" and Groiss, ed., *The West, Christians, and Jews in Saudi Arabian Schoolbooks* which examined 93 books used in grades 1-10 primarily between 1999-2002.

<sup>56</sup> Ibid.

<sup>57</sup> See "Friday Sermons in Saudi Mosques: Review and Analysis," translations by MEMRI from Arabic to English of excerpts of sermons delivered by religious leaders in Saudi Arabia (<http://www.memri.org/bin/articles.cgi?Page=archives&Area=sr&ID=SR01002>, accessed March 3, 2003).

<sup>58</sup> Ibid.

<sup>59</sup> The government also strictly limits freedom of the press in Saudi Arabia. Privately owned newspapers in Saudi Arabia are under the close supervision of the Ministry of Information. Further, a recent study concluded that the Saudi government has been found to restrict public Internet access by censoring thousands of Web sites, including many non-Muslim religious Web sites and those that insult Islam. See Jonathan Zittrain and Benjamin Edelman, "Documentation of Internet Filtering in Saudi Arabia," *Berkman Center for Internet and Society*, Harvard University Law School, July 2002 (<http://cyber.law.harvard.edu/filtering/saudiarabia/#concl>, accessed February 16, 2003); also see Nicholas Kristof, "Can This Marriage be Saved?," *The New York Times*, November 1, 2002, late edition, for a discussion of specific religious and other Web sites that he found blocked while visiting Saudi Arabia. The Saudi government's Internet Service Unit of the King Abdulaziz City for Science and Technology, established in 1998, provides Internet access for the Saudi population and decides what Web sites will be blocked.

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<sup>60</sup> See multiple translated articles with anti-Semitic and discriminatory language from the Saudi press at the Middle East Media Research Institute (*MEMRI*) Web site:

(<http://www.memri.org/bin/articles.cgi?Page=countries&Area=saudi Arabia&ID=SP42102>

<http://www.memri.org/bin/articles.cgi?Page=countries&Area=saudi Arabia&ID=SP38102>

<http://www.memri.org/bin/articles.cgi?Page=countries&Area=saudi Arabia&ID=SP35402>

<http://www.memri.org/bin/articles.cgi?Page=countries&Area=saudi Arabia&ID=SP32702>, accessed November 4, 2002).

<sup>61</sup> See Council on Foreign Relations, “Terrorist Financing: Report of an Independent Taskforce,” October 2002 ([http://www.cfr.org/pdf/Terrorist\\_Financing\\_TF.pdf](http://www.cfr.org/pdf/Terrorist_Financing_TF.pdf), accessed April 16, 2003); also see a report prepared for the president of the UN Security Council by Jean-Charles Brisard, “Terrorism Financing: Roots and Trends of Saudi Terrorism Financing,” December 19, 2002 (<http://www.nationalreview.com/document/document-un122002.pdf>, accessed April 16, 2003).

<sup>62</sup> Michaela Prokop, “The Politics of Education in Saudi Arabia,” *The Royal Institute of International Affairs* (January 2003): 85.

<sup>63</sup> Ibid.

<sup>64</sup> Please refer to the larger list of countries where the Saudi government has itself claimed it has funded the spread of Islam globally, including *madrassas*, in the March 21, 2002 edition of the government weekly, *Ain-Al-Yaqeen*.

<sup>65</sup> See Kamal Matinuddin, *The Taliban Phenomenon* (1999) and Ahmed Rashid, *The Taliban: Militant Islam, Oil & Fundamentalism in Central Asia* (2002).

<sup>66</sup> U.S. Commission on International Religious Freedom, *Annual Report*, May 2001: 106.

<sup>67</sup> See Stalinsky, “Inside the Classroom.”

<sup>68</sup> International Crisis Group, “Religion in Kosovo,” January 31, 2001 ([http://www.crisisweb.org/projects/balkans/kosovo/reports/A400226\\_31012001.pdf](http://www.crisisweb.org/projects/balkans/kosovo/reports/A400226_31012001.pdf), accessed April 1, 2003).

<sup>69</sup> James Woolsey in testimony before the House International Relations Subcommittee on the Middle East and South Asia, May 22, 2002.

<sup>70</sup> Martin Indyk, “Back to the Bizarre,” *Foreign Affairs* (January-February 2002): 75.

<sup>71</sup> John Esposito, *Unholy War* (2002), 49.

<sup>72</sup> Martin Indyk, “Back to the Bizarre,” 86.

<sup>73</sup> Gregory Gause, “Be Careful What You Wish For: The Future of U.S.-Saudi Relations,” *World*

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*Policy Journal* (Spring 2002): 46.

<sup>74</sup> Graham Fuller, "The Future of Political Islam," *Foreign Affairs* (March-April 2002): 48; also see the International Crisis Group report, "Pakistan: Madrasas, Extremism and the Military," July 29, 2002 ([http://www.crisisweb.org/projects/asia/afghanistan\\_southasia/reports/A400717\\_29072002.pdf](http://www.crisisweb.org/projects/asia/afghanistan_southasia/reports/A400717_29072002.pdf), accessed April 9, 2003).

<sup>75</sup> Andrew Marshall, "A Jihadi's Tale; What Drives so Many Muslims to Find Peace in a Holy War?," *Time Asia*, March 10, 2003. Also see Ahmed Rashid, *Jihad: The Rise of Militant Islam in Central Asia* (2002).

<sup>76</sup> Susan Severeid, "When Relations Soured, U.S. and Saudi Arabia Called in the PR Pros," *Associated Press*, February 20, 2003.

<sup>77</sup> United Nations Development Programme, *Arab Human Development Report* (<http://www.undp.org/rbas/ahdr/>, accessed March 19, 2003).

<sup>78</sup> Royal Embassy of Saudi Arabia in Washington, D.C., "Charter for Reform of Arab Condition," January 15, 2003 ([http://www.saudiembassy.net/press\\_release/statements/03-ST-Arab-Reform-Charter-Jan03.htm](http://www.saudiembassy.net/press_release/statements/03-ST-Arab-Reform-Charter-Jan03.htm), accessed March 19, 2003).

<sup>79</sup> Donna Abu-Nasr, "Saudi Rulers Explore Political Reform," *Associated Press*, February 9, 2003.

<sup>80</sup> *Reuters*, "Reform Debate Rages in Saudi Arabia," March 4, 2003.

<sup>81</sup> September 8, 2002 interview on television newsmagazine *60 Minutes* cited in Groiss, ed., *The West, Christians, and Jews in Saudi Arabian Schoolbooks*, 190.

<sup>82</sup> Royal Embassy of Saudi Arabia, Washington, D.C., "Minister of Education Vows to Improve Education System," January 7, 2003 ([http://www.saudiembassy.net/press\\_release/releases/03-PR-0107-education.htm](http://www.saudiembassy.net/press_release/releases/03-PR-0107-education.htm), accessed March 17, 2003).

<sup>83</sup> Royal Embassy of Saudi Arabia, Washington, D.C., "Statement Regarding Saudi Education System," February 4, 2003 ([http://www.saudiembassy.net/press\\_release/releases/03-PR-0204-education.htm](http://www.saudiembassy.net/press_release/releases/03-PR-0204-education.htm), accessed February 13, 2003).

<sup>84</sup> Steven Stalinsky, "Inside the Saudi Classroom," *National Review Online*, February 7, 2003 (<http://www.nationalreview.com/comment/comment-stalinsky020703.asp>, accessed March 17, 2003).

<sup>85</sup> *Ibid.*

<sup>86</sup> *Ain-Al-Yaqeen*, "In Comprehensive Interviews on the Current Issues," December 6, 2002 (<http://www.ain-al-yaqeen.com/issues/20021206/feat5en.htm>, accessed April 1, 2003).

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<sup>87</sup> Royal Embassy of Saudi Arabia, Washington, D.C., “Crown Prince Abdullah urges Muslims to Shun Extremism in Islam,” November 2, 2002 ([http://www.saudiembassy.net/press\\_release/releases/02-PR-1102-Abd-Islam.htm](http://www.saudiembassy.net/press_release/releases/02-PR-1102-Abd-Islam.htm)); see also “Saudi Crown Prince Calls for Moderation and Tolerance,” January 13, 2003 ([http://www.saudiembassy.net/press\\_release/releases/03-PR-0113-Abd-moderation.htm](http://www.saudiembassy.net/press_release/releases/03-PR-0113-Abd-moderation.htm), accessed April 21, 2003).

<sup>88</sup> *BBC News*: World Edition, *Saudi Minister Rebukes Religious Police*, November 4, 2002 ([http://news.bbc.co.uk/2/hi/middle\\_east/2399885.stm](http://news.bbc.co.uk/2/hi/middle_east/2399885.stm), accessed November 4, 2002).

<sup>89</sup> *Ain-Al-Yaqeen*, “In Comprehensive Interviews on the Current Issues,” December 6, 2002 (<http://www.ain-al-yaqeen.com/issues/20021206/feat5en.htm>, accessed April 1, 2003).

<sup>90</sup> Royal Embassy of Saudi Arabia, Washington, D.C., “Saudi Religious Leaders Forbid Attacks on Non-Muslims,” February 11, 2003.

<sup>91</sup> *Associated Press*, “Saudis Won’t Allow Churches on Its Land,” March 10, 2003.

<sup>92</sup> On April 9, 2003, Deputy Interior Minister Prince Ahmad further affirmed the right of non-Muslims to worship in private: “There are thousands of non-Muslims with different religious faiths in the Kingdom. We don’t interfere in their personal faiths...Everybody is aware of this when they come to the Kingdom. We don’t interfere in the affairs of other countries and we don’t allow anybody to do anything contrary to Islam. People are free to practice their religious faiths and beliefs at home and in private.” P.K. Abdul Ghafour, “Non-Muslims Free to Practice Faiths in Private,” *Arab News*, April 9, 2003 (<http://www.arabnews.com/Article.asp?ID=24947>, accessed April 9, 2003).

<sup>93</sup> U.S. Department of State: *Background Notes*: Saudi Arabia (Internet).

<sup>94</sup> The United States officially ceased all economic aid to Saudi Arabia in 1959, although small amounts of aid continued until 1975 through an international military education and training program after 1968. See “Issue Brief for Congress,” *Saudi Arabia: Current Issues and U.S. Relations*, Congressional Research Service, January 22, 2003.

<sup>95</sup> Andrew Hammond, “U.S. Withdrawing Virtually All Forces From Saudi Arabia,” *Reuters*, April 29, 2003.

<sup>96</sup> “On-the-Record Briefing: Release of the 2002 Annual Report on International Religious Freedom,” October 7, 2002 (<http://www.state.gov/g/drl/rls/spbr/14201.htm>, accessed April 16, 2003).

<sup>97</sup> See “Daily Press Briefing” by State Department Spokesman, Richard Boucher, March 10, 2003 (<http://www.state.gov/r/pa/prs/dpb/2003/18512.htm>, accessed April 16, 2003).

<sup>98</sup> See Section 563 of the National Defense Authorization Act for Fiscal Year 2003 (HR 4546). Previous to this legislation, female military officers were required to wear *abayas* when off the

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military compound.

<sup>99</sup> See Elaine Sciolino, “For Outsiders, Worship is Risk in Saudi Arabia,” *New York Times*, February 8, 2002; and John W. Whitehead, “Religious Apartheid for American Troops Abroad,” *Rutherford Institute*, March 17, 2003 ([http://www.rutherford.org/articles\\_db/commentary.asp?record\\_id=213](http://www.rutherford.org/articles_db/commentary.asp?record_id=213), accessed March 20, 2003).

<sup>100</sup> Whitehead, “Religious Apartheid for American Troops Abroad.”

<sup>101</sup> Rich Lowry, “American’s Unspecial Relationship: A Cold Look at the Saudis,” *National Review Online*, August 8, 2002.

<sup>102</sup> See Timothy Hunter, “Appeasing the Saudis,” *Middle East Quarterly*, March 1996 (<http://www.meforum.org/article/283>, accessed March 17, 2003).

<sup>103</sup> Thomas E. Ricks, “Briefing Depicted Saudis as Enemies,” *Washington Post*, August 6, 2002, Final edition.

<sup>104</sup> Jack Shafer, “The PowerPoint that Rocked the Pentagon,” *Slate Magazine*, August 7, 2002.

<sup>105</sup> Oliver Burkeman, “Legal Action Jeopardizes 9/11 Compensation,” *The Guardian*, September 20, 2002.

<sup>106</sup> See especially Article 26 of Universal Declaration of Human Rights and Article 5 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. Saudi Arabia is a state party to the Convention on the Rights of the Child.

<sup>107</sup> Universal Declaration of Human Rights, Art. 18; UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, Art. 1; International Covenant on Civil and Political Rights, Art. 18.

<sup>108</sup> U.S. Department of State, *International Religious Freedom Report*, “Qatar” and “United Arab Emirates,” October 2002 (<http://www.state.gov/g/drl/rls/irf/2002/14011.htm>, accessed March 27, 2003).

<sup>109</sup> U.S. Department of State, *International Religious Freedom Report*, “Qatar,” October 2002 (<http://www.state.gov/g/drl/rls/irf/2002/14011.htm>, accessed March 27, 2003).

<sup>110</sup> Peter Slevin, “U.S. Considers Citing Saudi Arabia for Intolerance,” *The Washington Post*, January 18, 2003.

<sup>111</sup> U.S. Department of State, *2002 Country Reports on Human Rights Practices*, “Saudi Arabia,” March 31, 2003 (<http://www.state.gov/g/drl/rls/hrrpt/2002/18288.htm>, accessed April 9, 2003).

<sup>112</sup> See page 17, ¶81 of the Report of the Special Rapporteur on the Independence of Judges and

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Lawyers, Dato' Param Kumaraswamy, E/CN.4/2003/65/Add.3; see also April 6, 2000 statement at the 56<sup>th</sup> Session of the UN Commission on Human Rights by Prince Turki Muhammad Saud al-Kabeer ([http://www.saudiembassy.net/press\\_release/press\\_release00.htm](http://www.saudiembassy.net/press_release/press_release00.htm), accessed February 16, 2003).

<sup>113</sup> See “Daily Press Briefing” by State Department Spokesman, Richard Boucher, March 10, 2003 (<http://www.state.gov/r/pa/prs/dpb/2003/18512.htm>, accessed April 16, 2003).

<sup>114</sup> Royal Embassy of Saudi Arabia, Washington D.C., “Statement Regarding Saudi Education System,” February 4, 2003.

<sup>115</sup> Universal Declaration of Human Rights, Art. 26(2). The Convention on the Rights of the Child (CRC), to which Saudi Arabia is a party, contains a similar provision.

<sup>116</sup> For the UNESCO criteria, please see ([http://www.unesco.org/education/pdf/34\\_71.pdf](http://www.unesco.org/education/pdf/34_71.pdf), accessed April 28, 2003). They include ensuring that wording likely to create prejudice, misapprehension, and conflict are avoided, and the goals of freedom and the dignity of all persons are advocated.

<sup>117</sup> See USCIRF 2002 Annual Report, 27.

<sup>118</sup> See a September 2002 joint report by the Saudi Institute and the Foundation for the Defense of Democracies documenting the propagation of hate literature by the Saudi government in the United States and abroad: (<http://www.saudiinstitute.org/hate.htm>, accessed November 5, 2002).

<sup>119</sup> See both reports at the Royal Embassy of Saudi Arabia Web site, (<http://www.saudiembassy.net>, accessed December 4, 2002).

<sup>120</sup> Peter Slevin, “U.S. Considers Citing Saudi Arabia for Intolerance,” *The Washington Post*, January 18, 2003.

<sup>121</sup> “Dialogue,” American Embassy TV Network, U.S. Department of State, Office of Broadcast Services, September 12, 2000 (transcript of interview of then Ambassador-at-Large for International Religious Freedom Robert Seiple found at [http://www.usembassy.it/file2000\\_09/alia/a009130b.htm](http://www.usembassy.it/file2000_09/alia/a009130b.htm), accessed April 1, 2003).

<sup>122</sup> On-the-Record Briefing: Release of the 2002 Annual Report on International Religious Freedom, John V. Hanford III, Ambassador-at-Large for International Religious Freedom, Washington, D.C., October 7, 2002. (<http://www.state.gov/g/drl/rls/spbr/14201.htm>, accessed April 1, 2003).

<sup>123</sup> See, e.g., Letter from Sen. John McCain of Arizona to Secretary of State Colin Powell, December 17, 2002 (urging Secretary Powell to designate Saudi Arabia as a CPC); Peter Slevin, “U.S. Considers Citing Saudi Arabia for Intolerance,” *Washington Post*, January 18, 2003, (citing Sen. McCain, Representatives Lantos of California and Wolf of Virginia, as well as Human Rights Watch, as supporting designating Saudi Arabia as a CPC); Michael Isikoff,

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“Saudis: No ‘Particular Concern’,” *Newsweek*, March 10, 2003 (stating that after a “contentious internal battle” within the Department of State, Saudi Arabia was not going to be designated as a CPC); *Agency France-Presse* “U.S. Rebukes Saudi Arabia for lack of religious freedom,” March 11, 2003; Editorial, “No Particular Concern,” *Washington Post*, March 17, 2003 (stating that leaving Saudi Arabia off the CPC list is “a particular affront to fact and logic”; and stating that “[t]o the extent the [U.S.] government contrives ways to keep American allies off its list, the designation process is a political joke”).

<sup>124</sup> Richard Boucher, Spokesman, U.S. Department of State, *Daily Press Briefing*, Washington, DC, March 10, 2003 (<http://www.state.gov/r/pa/prs/dpb/2003/18512.htm>, accessed April 1, 2003).

<sup>125</sup> IRFA, Section 402 (b)(1)(B), 22, U.S.C., Section 6442 (b)(1)(B).

<sup>126</sup> Stephen Hayes, “Uncle Sam’s Makeover,” *The Weekly Standard*, June 3, 2002.

<sup>127</sup> Statement by Assistant Secretary of State for Near Eastern Affairs William J. Burns, House International Relations Committee, Subcommittee on the Middle East and Central Asia, March 19, 2003.

<sup>128</sup> See the text of Assistant Secretary Burns’s testimony before the House International Relations Subcommittee on the Middle East and Central Asia, March 19, 2003.

<sup>129</sup> “Radio Sawa Launches *The Free Zone*, New Program on Democracy; Secretary of State Powell Calls for More Openness in the Middle East” ([http://www.bbg.gov/\\_bbg\\_news.cfm?articleID=58&mode=general](http://www.bbg.gov/_bbg_news.cfm?articleID=58&mode=general), accessed March 5, 2003).

<sup>130</sup> Donald Lambro, “Beaming Up for Iraq’s Future,” *Washington Times*, March 20, 2003.

<sup>131</sup> This was stated in a March 24, 2003 letter to the Commission.

<sup>132</sup> Whitehead, “Religious Apartheid for American Troops Abroad.”

<sup>133</sup> See press release from the United States Postal Service, “Operation Iraqi Freedom Postal Tips,” March 25, 2003 ([http://www.usps.com/communications/news/press/2003/pr03\\_018.htm](http://www.usps.com/communications/news/press/2003/pr03_018.htm), accessed April 2, 2003). The original press release issued by the Postal Service on March 25, 2003 included the above quoted language regarding restrictions on religious materials. When accessed on its Web site on April 21, the March 25 press release read: “Although religious materials contrary to the Islamic faith are prohibited in bulk quantities, items for personal use of the addressee are permissible.” The Commission was told by the Postal Service that the Department of Defense’s Military Postal Service Agency approved the language in the original press release.

<sup>134</sup> *Ibid.*

<sup>135</sup> Editorial, *Wall Street Journal*, January 3, 2003.

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<sup>136</sup> Press release from the office of Representative Dan Burton, “Burton Delegation Returns from Saudi Arabia,” September 5, 2002 (<http://www.house.gov/burton/pr9502.htm>, accessed March 30, 2003).

<sup>137</sup> See Donna Abu-Nasr, “Saudis Protest Religious Cops’ Role,” *Reuters*, July 31, 2002 and Colbert I. King, “Saudi Arabia’s Apartheid,” *The Washington Post*, December 22, 2001, A23.

<sup>138</sup> Reporting on this information could be included in the State Department’s *Annual Report on International Religious Freedom*. See IRFA, § 701(b)(1)(2), 22 U.S.C. 6481.

<sup>139</sup> In 1977, Leon Sullivan, a Baptist preacher who served on the board of General Motors, drafted a set of workplace principles, known as the Sullivan Principles, for U.S. businesses in South Africa that required companies to practice “corporate civil disobedience” against apartheid. Several companies eventually agreed to the principles, which eventually led to the divestment of more than 100 U.S. businesses by 1979. UN Secretary-General Kofi Annan initiated the Global Compact in 1999 to challenge business leaders to join an international initiative that would bring companies together with UN agencies, labor, and civil society to support nine principles in the areas of human rights, labor, and the environment. The Global Compact seeks to advance responsible corporate citizenship and is based on principles derived from the Universal Declaration of Human Rights, the International Labor Organization’s Declaration on Fundamental Principles and Rights at Work, and the Rio Declaration on Environment and Development. Also, the MacBride Principles in Northern Ireland were initiated by the Irish National Caucus in 1984 in response to discrimination against Catholics, particularly in employment. As a result, 44 U.S. companies agreed to “make all lawful efforts to implement the fair employment practices embodied in the MacBride Principles” in their Northern Ireland Operations. For a list and discussion of the MacBride principles, see (<http://www1.umn.edu/humanrts/links/macbride.html#principles>, accessed April 28, 2003).