

SAUDI ARABIA

The government of Saudi Arabia engages in systematic, ongoing, and egregious violations of the right to freedom of religion or belief. Since its inception, the Commission has recommended that Saudi Arabia be designated a “country of particular concern,” or CPC. In September 2004, the State Department for the first time followed the Commission’s recommendation and designated Saudi Arabia a CPC. In September 2005, Secretary of State Condoleezza Rice approved a temporary 180-day waiver of further action, as a consequence of CPC designation, to allow for continued diplomatic discussions between the U.S. and Saudi governments and “to further the purposes of the International Religious Freedom Act.” In July 2006, the Secretary decided to leave in place the waiver “to further the purposes of the Act” by announcing that these bilateral discussions with Saudi Arabia had enabled the United States to identify and confirm a number of policies that the Saudi government “is pursuing and will continue to pursue for the purpose of promoting greater freedom for religious practice and increased tolerance for religious groups.” Despite this potentially positive development, the Commission has studied the situation and again determines that freedom of religion does not exist in Saudi Arabia and that the country should continue to be designated a CPC.

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The Saudi government continues to engage in an array of severe violations of human rights as part of its repression of freedom of thought, conscience, and religion or belief. Abuses include: torture and cruel and degrading treatment or punishment imposed by judicial and administrative authorities; prolonged detention without charges and often

incommunicado; and blatant denials of the right to liberty and security of the person, including coercive measures aimed at women and the broad jurisdiction of the *mutawaa* (religious police), whose powers are vaguely defined and exercised in ways that violate the religious freedom of others.

The government of Saudi Arabia persists in enforcing vigorously its ban on all forms of public religious expression other than the government’s interpretation and enforcement of the Hanbali school of Sunni Islam. This policy has violated the rights of the large communities of non-Muslims and Muslims from a variety of doctrinal schools of Islam who reside in Saudi Arabia, including Shi’as, who make up 10 – 15 percent of the population. The government tightly controls even the restricted religious activity it does permit—through limits on the building of mosques, the appointment of imams, the regulation of sermons and public celebrations, and the content of religious education in public schools—and suppresses the religious views of Saudi and non-Saudi Muslims who do not conform to official positions.

Members of the Shi’a and other non-Sunni communities, as well as non-conforming Sunnis, are subject to government restrictions on public religious practices and official discrimination in numerous areas, particularly in government employment. In past years, prominent Shi’a clerics and religious scholars were arrested and detained without charges for their religious views; some were reportedly beaten or otherwise ill-treated. Reports indicate that some of these Shi’a clerics have been released, but the current status of a number of others remains unknown. Between 2002-2004, several imams, both Sunni and Shi’a, who spoke out in opposition to government policies or against the official government interpretation of Islam, were harassed, arrested, and detained. Some members of the Shi’a community remained unjustly imprisoned though there were no known arrests of Shi’a religious leaders on account of religion in the past year. On a positive note, in February 2006, thousands of members of the Shi’a community in Qatif, in the Eastern Province, made their largest public appearance in observance of Ashura without government interference. However, authorities continue to disallow observance in other areas of the Eastern Province, such as Al-Ahsa and Dammam.

Spurious charges of “sorcery” and “witchcraft” continue to be used by the Saudi authorities against non-conforming Muslims. Several individuals remain in prison on these charges. Human rights advocates report that Ismailis,



a Shi'a sect numbering some 700,000 inside Saudi Arabia, continue to suffer severe discrimination and abuse by Saudi authorities. In 2000, in the Najran region, after the *mutawaa* raided an Ismaili mosque for practicing "sorcery," approximately 100 Ismailis, including clerics, were arrested. Many were released after serving reduced sentences, but dozens remain in prison. In late October 2006, Saudi state media reported that any remaining Ismaili religious prisoners held in Najran as a result of the 2000 riots would be pardoned and released. Despite these reports, only 10 Ismailis were released and at least 18 other religious prisoners still remain in jail; some of those that remain in prison are reportedly subject to flogging.

In late December 2006, approximately 49 foreign guest workers, all members of the Ahmadi Muslim religious movement, were arrested by the *mutawaa* at a place of worship in Jeddah. In January and February, nine more Ahmadis were arrested. In January, Saudi authorities began deporting several of the Ahmadi prisoners, mostly Indian and Pakistani nationals, and international human rights groups called on the Saudi government to halt expulsions of foreign workers on account of their religious beliefs and affiliations. Despite this call, by early April, all 58 of the Ahmadis who had been arrested were deported. None of those deported are known to have been charged with any criminal offenses. In addition, two other Ahmadi religious leaders, who were not in Saudi Arabia during the initial arrests of 49 in December, have not returned to the country for fear of arrest and prosecution by Saudi authorities.

Over the past few years, members of the Sufi community have been harassed, arrested, and detained because of their non-conforming religious views, although there have been no new reports of such incidents in the past year. In September 2003, the *mutawaa* arrested 16 foreign workers for allegedly practicing Sufism; their status remains unknown. In June 2005, Saudi authorities shut down a weekly

gathering held by a Sufi leader who adheres to the Shafi'i school of Islamic jurisprudence.

Criminal charges of apostasy, blasphemy, and criticizing the nature of the regime are used by the Saudi government to suppress discussion and debate and silence dissidents. Promoters of political and human rights reforms, as well as those seeking to debate the appropriate role of religion in relation to the state, its laws, and society are typically the target of such charges. For example, in April 2007, an Egyptian Muslim guest worker reportedly was sentenced to death in the town of Arar in northern Saudi Arabia for allegedly desecrating the Koran and renouncing Islam. Media reports indicated that a court found the man guilty of no longer being a Muslim for "violating the boundaries set by God." Hadi Al-Mutaif, an Ismaili man, was originally sentenced to death in 1994 for a remark deemed blasphemous that he made as a teenager. In 1999, his death sentence was commuted to life in prison. In late 2006, Saudi state media reported that Ismaili religious prisoners held in Najran would be pardoned and released. However, Al-Mutaif continues to serve a life sentence on blasphemy charges. In April 2006, a Saudi journalist was arrested and detained by Saudi authorities for almost two weeks for "denigrating Islamic beliefs" and criticizing the Saudi government's strict interpretations of Islam. In November 2005, a Saudi high school teacher, accused for discussing topics such as the Bible, Judaism, and the causes of terrorism, was tried on charges of blasphemy and insulting Islam and sentenced to three years in prison and 750 lashes. Although he was pardoned by King Abdullah in December 2005, he nevertheless lost his job and suffered other repercussions.

Restrictions on public religious practice, for both Saudis and non-Saudis, are officially enforced in large part by the *mutawaa*, and fall under the direction of the Ministry of Interior. The *mutawaa* conduct raids on worship services, including in private homes. They have also harassed,

detained, whipped, beaten, and otherwise meted out extrajudicial punishments to individuals deemed to have strayed from “appropriate” dress and/or behavior, including any outward displays of religiosity, such as wearing Muslim religious symbols not sanctioned by the government. In recent years, the Saudi government has stated publicly that it has fired and/or disciplined members of the *mutawaa* for abuses of power, although reports of abuse persist.

Although the government has publicly taken the position—reiterated again in 2006—that it permits non-Muslims to worship in private, the guidelines as to what constitutes “private” worship are vague. Surveillance by the *mutawaa* and Saudi security services of private non-Muslim religious activity continues. Many persons worshipping privately continue to be harassed, arrested, imprisoned, and then tortured and deported. They are generally forced to go to great lengths to conceal religious activity from the authorities. Foreign migrant workers without diplomatic standing, and with little or no access to private religious services conducted at diplomatic facilities, face great difficulties. Moreover, the Saudi government does not allow clergy to enter the country for the purpose of performing private religious services for foreigners legally residing in Saudi Arabia.

There is a continuing pattern of punishment and abuse of non-Muslim foreigners for private religious practice in Saudi Arabia. According to the State Department, there was a decrease in both long and short-term detentions and arrests and deportations of non-Muslims in the past year. However, there were also reports that the *mutawaa* continued to target non-Muslim religious leaders and groups for harassment, arrest, and deportation in an effort to deter these groups from conducting private religious services. In March 2005, a Hindu temple constructed near Riyadh was destroyed by the *mutawaa*, and three guest workers worshipping at the site were subsequently deported. Also in March 2005, the *mutawaa* arrested an Indian Christian and confiscated religious materials in his possession; he was released in July 2005 after four months of detention. In April 2005, the *mutawaa* raided a Filipino Christian private service in Riyadh and confiscated religious materials such as Bibles and Christian symbols. Also in April 2005, at least 40 Pakistani, three Ethiopian, and two Eritrean Christians were arrested in Riyadh during a raid on separate private religious services. All of the Pakistani Christians were released within days and all five of the African Christians were released after a month in detention.

In May 2005, at least eight Indian Protestant leaders were arrested, interrogated, and subsequently released for reportedly being on a list, obtained by the *mutawaa*, of Christian leaders in the country. Six were deported or left the country on their own accord and the status of the other two is unknown. In April 2006, an Indian Roman Catholic priest, who was visiting Saudi Arabia, was deported after being detained for four days in Riyadh for conducting a private religious service. Also in April 2006, the *mutawaa* reportedly arrested a female Shi’a student in Riyadh, allegedly for proselytizing to other students. She was released several days later. In June, four East African Christians were arrested in Jeddah while leading a private worship ceremony. All were deported the following month. In October, the *mutawaa* raided a private religious service in Tabuk, detained a Christian Filipino religious leader, and confiscated Bibles and other religious materials.

The government’s monopoly on the interpretation of Islam and other violations of freedom of religion adversely affect the human rights of women in Saudi Arabia, including freedom of speech, movement, association, and religion, freedom from coercion, access to education, and full equality before the law. For example, women must adhere to a strict dress code when appearing in public and can only be admitted to a hospital for medical treatment with the consent of a male relative. Women need to receive written permission from a male relative to travel inside or outside the country and are not permitted to drive motor vehicles. Religiously based directives limit women’s right to choose employment by prohibiting them from studying for certain professions such as engineering, journalism, and architecture. In addition, the Saudi justice system, in which courts apply Islamic law to the cases before them, does not grant women legal status equal to men’s. For example, testimony by a man is equivalent to the testimony of two women; daughters receive half the inheritance that their brothers receive; and women have to demonstrate legally specified grounds for divorce, while men may divorce without giving cause.

In March 2006, the Saudi Embassy in Washington published a report summarizing efforts by the Saudi government to revise the state curriculum and a number of school textbooks to exclude language promoting religious intolerance. Nevertheless, non-governmental organizations from outside Saudi Arabia continue to report the presence of highly intolerant and discriminatory language, particularly against Jews, Christians, and Shi’a Muslims, in these educational materials



A mosque in Jeddah, Saudi Arabia

published by the Saudi Ministry of Education.¹ Furthermore, in the past year, there were frequent reports, including by the State Department, of virulently anti-Semitic and anti-Christian sentiments expressed in the official media and in sermons delivered by clerics who are under the authority of the Ministry of Islamic Affairs.

In March 2004, the Saudi government approved the formation of a National Human Rights Association, the country's first purportedly independent human rights body, but, as of this writing, there is no indication that this entity is publicly reporting on or investigating religious freedom concerns. It is comprised of 40 members and chaired by a member of the Consultative Council, a 150-member advisory body appointed by then-King Fahd. In September 2005, the Council of Ministers, chaired by King Abdullah, approved the establishment of a government-appointed, 25-member Human Rights Commission. The following month, King Abdullah appointed, with the rank of minister, Turki bin Khaled al-Sudairi, a former state minister and Cabinet

member, as chairman of the Commission. The Human Rights Commission is mandated to "protect human rights and create awareness about them ... in keeping with the provisions of Islamic law." It is not yet possible to determine if either human rights body will prove to be a positive mechanism for addressing human rights concerns in Saudi Arabia.

In recent years, senior Saudi government officials, including the Crown Prince and the Grand Mufti, made statements with the reported aim of improving the climate of tolerance toward other religions; both also continued publicly to call for moderation. In a public interview in 2005, King Abdullah reiterated that non-Muslims are free to practice their faith privately but that public worship by non-Muslims is not permitted. He also said that to allow any non-Muslim places of worship to be built in Saudi Arabia "would be like asking the Vatican to build a mosque inside of it."

¹ Center for Religious Freedom and Institute for Gulf Affairs, Saudi Arabia's Curriculum of Intolerance, Freedom House, 2006 (http://www.hudson.org/files/publications/CRF_SaudiReport_2006.pdf).

In July 2006, the State Department announced that ongoing bilateral discussions with Saudi Arabia had enabled the United States to identify and confirm a number of policies that the Saudi government “is pursuing and will continue to pursue for the purpose of promoting greater freedom for religious practice and increased tolerance for religious groups.” This announcement followed extensive discussions between the U.S. and Saudi governments as a result of CPC designation. Among the measures that were confirmed by Saudi Arabia as state policies are:

Halt the Dissemination of Intolerant Literature and Extremist Ideology in Saudi Arabia and around the World

- Revise and update textbooks to remove remaining intolerant references that disparage Muslims or non-Muslims or that promote hatred toward other religions or religious groups, a process the Saudi government expects to complete in one to two years.
- Prohibit the use of government channels or government funds to publish or promote textbooks, literature, or other materials that advocate intolerance and sanction hatred of religions or religious groups.
- Ensure Saudi embassies and consulates abroad review and destroy any material given to them by charities or other entities that promote intolerance or hatred.

Protect the Right to Private Worship and the Right to Possess Personal Religious Materials

- Guarantee and protect the right to private worship for all, including non-Muslims who gather in homes for religious practice.
- Address grievances when this right is violated.
- Ensure that customs inspectors at borders do not confiscate personal religious materials.

Curb Harassment of Religious Practice

- Ensure that members of the Commission to Promote Virtue and Prevent Vice (also known as the mutawaa) do not detain or conduct investigations of suspects, implement punishment, violate the sanctity of private homes, conduct surveillance, or confiscate private religious materials.
- Require all members of the mutawaa to wear identification badges with their pictures and names.

Empower the Human Rights Commission

- Bring the Kingdom’s rules and regulations into compliance with human rights standards.

The Commission welcomed the announcement and stated that the newly-reported Saudi policies—if actually implemented in full—could advance much-needed efforts to dismantle some of the institutionalized policies that have promoted severe violations of freedom of religion or belief in Saudi Arabia and worldwide.

The State Department reports that during the past year, the Saudi government took limited measures to remove from educational curricula what it deemed to be disparaging references to other religious traditions. In 2006, the Saudi government reportedly put into place policies to limit harassment of religious practice and curb violations by the mutawaa. According to the State Department, reports of harassment of non-Muslims and non-Sunni Muslims by the mutawaa continue, but there were fewer reports in 2006 than in previous years. The sixth National Dialogue, held in late November 2006, resulted in many prominent Saudi educators and scholars calling for reforms of religious education materials and curricula.

In addition to the Saudi government’s violations of religious freedom within its own borders, evidence has mounted that funding originating in Saudi Arabia has been used to finance globally religious schools and other activities that support religious intolerance, and, in some cases, violence toward non-Muslims and disfavored Muslims. For example, the Saudi government operates a network in over a dozen world capitals, including one outside of Washington, DC, of Islamic academies, chaired by the local Saudi ambassador, reportedly using the same religious curriculum as the public educational system in Saudi Arabia. The Saudi government itself has been implicated in promoting and exporting views associated with certain Islamic militant and extremist organizations in several parts of the world, and a number of reports have identified members of extremist and militant groups that have been trained as clerics in Saudi Arabia. These reports point to a role for the Saudi government in propagating worldwide an ideology that is incompatible with universal norms of the right to freedom of religion or belief.

The Saudi government funds mosques, university chairs, Islamic study centers, and religious schools (madrassas) all over the world. During Afghanistan’s war against the former Soviet Union, Saudi-funded madrassas were established in Pakistan that were reportedly less focused on education than on promoting an extremist agenda glorifying violence. These madrassas provided ideological training for some of those who went on to fight in Kashmir, Chechnya, and Afghanistan. The peaceful expression and propagation of religious beliefs, including Islam, is a human right. However, there is legitimate concern when a government may be propagating an ideology that promotes hatred and violence against both Muslims and non-Muslims.

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The religious extremism reportedly preached by some Saudi clerics and the violence incited and perpetrated by certain state-supported radicals continues to warrant further investigation by the U.S. government. The Commission has urged the U.S. government to address publicly concerns that have arisen from the propagation of religious hatred and intolerance from Saudi Arabia. The Commission has published reports and held public hearings over the past several years regarding this issue, and issued a number of recommendations for U.S. policy. The Commission welcomed the public statements made in the past year by Ambassador Hanford raising concerns about the role of the Saudi government in the promotion of religious intolerance and extremist ideology.

Throughout the past year, the Commission has spoken out numerous times about religious freedom concerns in Saudi Arabia. In June 2006, Commission Vice Chair Nina Shea testified on behalf of the Commission before the House International Relations Subcommittee on Africa, Global Human Rights and International Operations at a hearing entitled “The Plight of Religious Minorities: Can Religious Pluralism Survive?” Commissioner Shea’s testimony focused on religious freedom conditions in five countries—Egypt, Iran, Iraq, Pakistan and Saudi Arabia—as well as recommendations for U.S. policy. In September, the Commission publicly expressed concern that the State Department had removed longstanding and widely quoted language, “freedom of religion does not exist,” from its 2006 *Report on International Religious Freedom* on Saudi Arabia, despite the fact that the report states that “there generally was no change in the status of religious freedom during the reporting period.” In October, the Commission held a briefing on the current status of human rights and reform in Saudi Arabia with Ibrahim al-Mugaiteeb, President of *Human Rights First Society*, a human rights organization in

Saudi Arabia that, despite repeated attempts to gain official recognition, has never been granted a license to function by the Saudi government. Mr. al-Mugaiteeb operates in the Kingdom at his own risk. In November, the Commission issued a statement and wrote to U.S. Ambassador to Saudi Arabia James Oberwetter about misleading claims by Saudi authorities regarding the purported release of religious prisoners in the southwestern region of Najran. In April 2007, Commissioners Gaer and Shea met with the newly appointed U.S. Ambassador to Saudi Arabia, Ford M. Fraker, to discuss persistent religious freedom concerns.

Throughout 2006, the Commission continued to meet with representatives of a variety of human rights and other non-governmental organizations, academics, and other experts on Saudi Arabia.



Saudi Arabia's Foreign Ministry, Riyadh

In light of the July 2006 confirmation of Saudi government policies on religious practice and tolerance, the Commission recommends that the U.S. government should:

- urge the Saudi government to identify specific benchmarks and timetables for implementation of those benchmarks;
- create a formal mechanism to monitor implementation of the July 2006 confirmation of policies as part of every Ministerial Meeting of the United States-Saudi Arabia Strategic Dialogue, co-chaired by Secretary of State Rice and Foreign Minister of Saudi Arabia Prince Saud al-Faisal;
- ensure that U.S. representatives to the relevant Working Group of the Strategic Dialogue, after each session, or at least every six months, report its findings to Congress; the policies that can be monitored with clear-cut criteria for progress include:
 - analyzing the content of Saudi textbooks at the beginning of every new school year (September);
 - retraining teachers and principals in schools to ensure that tolerance is promoted;
 - revising teacher manuals to include promotion of tolerance;
 - retraining and reassigning imams who espouse intolerance; ensuring that customs inspectors at borders do not confiscate religious materials;
 - ensuring that Saudi embassies and consulates abroad destroy any material given to them that promote intolerance and hatred;

- ensuring that members of the *mutawaa* do not operate outside of agreed-upon parameters;
- ensuring that all *mutawaa* wear identification badges;
- holding accountable any member of the *mutawaa* who commits an act of torture; and
- monitoring sermons in mosques regularly; and
- communicate and share information with other concerned governments about the confirmed policies of the July 2006 announcement, particularly those policies related to Saudi exportation of hate literature and extremist ideology.

With regard to religious freedom conditions in Saudi Arabia, the Commission reiterates its recommendations that the U.S. government should:

- press for immediate improvements in respect for religious freedom, including:
 - establishing genuine safeguards for the freedom to worship privately;
 - entrusting law enforcement to professionals in law enforcement agencies subject to judicial review and dissolving the *mutawaa*;
 - permitting non-conforming Muslim and non-Muslim places of worship in specially designated areas and allowing clergy to enter the country to carry out such worship services;
 - reviewing cases and releasing those who have been detained or imprisoned on account of their religious belief or practices;

- permitting independent non-governmental organizations to advance human rights;
- ending state prosecution of individuals charged with apostasy, blasphemy, sorcery, and criticism of the government;
- ceasing state-sponsored messages of hatred, intolerance, or incitement to violence against Muslims and members of non-Muslim religious groups in the educational curricula and textbooks, as well as in government-controlled mosques and media;
- inviting the UN Special Rapporteur on Freedom of Religion or Belief to conduct a fact-finding mission; and
- ratifying international human rights instruments, including the International Covenant on Civil and Political Rights, and cooperating with UN human rights mechanisms; and
- use its leverage to encourage implementation of numerous Saudi government statements to ensure that the Saudi government carries out political, educational, and judicial reforms in the Kingdom by:
 - raising concerns about human rights, including religious freedom, both publicly and privately in the U.S. anti-terrorism dialogue with the Saudi government;
 - expanding human rights assistance, public diplomacy, and other programs and initiatives—such as the Middle East Partnership Initiative—to include more

components specifically for Saudi Arabia;

- continue to seek proposals from private entities to conduct religious freedom programs in Saudi Arabia; and
- increase the number of International Visitor and other exchange programs to include educators, religious leaders, journalists, and other members of civil society.

With regard to the exportation of religious intolerance from Saudi Arabia, the Commission has recommended that the U.S. government should:

- continue efforts, along with those of the Congress, to monitor Saudi state promises to end its sponsorship of government officials and programs, individual members of the royal family, and Saudi-funded individuals or institutions that directly or indirectly propagate globally, including in the United States, an ideology that explicitly promotes hate, intolerance, human rights violations, and, in some cases, violence, toward members of other religious groups, both Muslim and non-Muslim;
- request the Saudi government to provide an accounting of what kinds of Saudi support have been and continue to be provided to which religious schools, mosques, centers of learning, and other religious organizations globally, including in the United States;
- request the Saudi government to stop funding religious activities abroad until it knows the content of the teachings and is satisfied that such activities do not promote

hatred, intolerance, or other human rights violations;

- request the Saudi government to monitor, regulate, and report publicly about the activities of Saudi charitable organizations based outside Saudi Arabia in countries throughout the world; and
- request the Saudi government to: a) cease granting diplomatic status to Islamic clerics and educators teaching outside Saudi Arabia; and b) close down any Islamic affairs sections in Saudi embassies throughout the world that have been responsible for propagating intolerance.

The Commission urges the U.S. Congress to hold biannual hearings at which the State Department reports on what issues have been raised with the Saudi government regarding violations of religious freedom and what actions have been taken by the United States in light of the Saudi government's response.