



SAUDI ARABIA



Saudi Arabia's Foreign Ministry, Riyadh

INTRODUCTION

Since its inception, the U.S. Commission on International Religious Freedom has raised serious concerns about religious freedom conditions in Saudi Arabia and recommended that the country be designated by the Secretary of State as a “country of particular concern,” or CPC, for engaging in systematic, ongoing, and egregious violations of the right to freedom of religion or belief. The Commission was instru-

mental in securing Saudi Arabia's official CPC designation in September 2004.

In July 2006, as a consequence of CPC designation, the State Department announced that ongoing bilateral discussions with Saudi Arabia had enabled the U.S. government 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.”¹

Nearly one year after the State Department announcement, the Commission traveled to Saudi Arabia in late May and early June 2007 to discuss religious freedom concerns and examine policy measures to ensure progress by the Saudi government in implementing several of its stated policies related to religious practice and tolerance. Such stated policies include: 1) halting the dissemination of intolerant literature and extremist ideology within Saudi Arabia and abroad; 2) reviewing and revising educational materials and textbooks; 3) protecting the subsidiary rights to private worship and to possess personal religious materials; 4) curbing harassment and repression of religious practitioners; and 5) empowering officially sanctioned human rights institutions. In addition, the Commission discussed the status of religious pluralism in the Kingdom, including freedom of religion or belief with respect to followers of different schools of thought within Sunni and Shi'a Islam, as well as for non-Muslims.

Although the Commission was extended various courtesies and assistance by the Saudi government in connection with the visit, the government refused Commission requests for

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THE U.S. COMMISSION
ON INTERNATIONAL
RELIGIOUS FREEDOM

was created by the Interna-
tional Religious Freedom

Act of 1998 to monitor

the status of freedom

of thought, conscience,

and religion or belief

abroad, as defined in the

Universal Declaration of

Human Rights and related

international instruments,

and to give independent

policy recommendations to

the President, Secretary of

State, and Congress.

SAUDI ARABIA

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Waterfront in Jeddah

meetings with officials at key agencies such as the Commission to Promote Virtue and Prevent Vice (CPVPV) and the Ministries of Education and Justice. Nevertheless, the Commission wishes to thank the Human Rights Commission of Saudi Arabia for receiving the delegation and accompanying it to those government meetings that did take place. The Commission also requested, but was not granted, meetings with members of the Consultative

Council (Shura) and representatives of the King Abdul Aziz National Center for Dialogue, which inhibited the delegation from hearing various governmental points of view on a full range of issues. After the visit, then Commission Chair Felice D. Gaer wrote in late June 2007 to the Saudi Ambassador in Washington, DC and to Turki Al-Sudairy, Chair of the Saudi Human Rights Commission, requesting textbooks from the current Saudi government curriculum,

further information, and responses to outstanding questions. As of this writing, the Commission has not received a reply from the Saudi Ambassador. A July 2007 letter to the Commission from the Saudi Human Rights Commission stated that textbooks currently are being reviewed and copies would be sent to the Commission upon completion, although no completion date was given.

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RELIGIOUS DEMOGRAPHY

Saudi Arabia has a population of approximately 27 million, including an estimated expatriate population of more than 7 million. The vast majority of the population is Sunni Muslim, including significant numbers of Sunni Muslims who follow schools of thought other than the government's interpretation of Islam. The Shi'a Muslim community comprises 10-15 percent of the population, with the majority residing in the Eastern Province, although a significant number also live in Medina and the Western Province. Ismailis number approximately 700,000 to one million and live primarily in the southern part of the country in the Najran region. According to the State Department, the foreign population includes approximately 1.4 million Indians, one million Bangladeshis, nearly 900,000 Pakistanis, 800,000 Filipinos, 750,000 Egyptians, 250,000 Palestinians, 150,000 Lebanese, 130,000 Sri Lankans, 40,000 Eritreans, and 25,000 Americans. The expatriate population includes Muslims from the various schools within Islam, and the Saudi Foreign Ministry estimates that there are 2-3 million non-Muslim expatriate workers. The non-Muslim expatriate population includes Christians, Hindus, Buddhists, Sikhs, and others. The State Department estimates that as many as one million Catholics reside in the country.



U.S. POLICY

Until CPC designation in 2004, many observers of the U.S.-Saudi relationship had been critical of the unwillingness of successive U. S. Administrations to raise religious freedom and other human rights concerns as part of the bilateral agenda. The Commission had urged CPC designation for several years prior to the designation. In 2004, the National Commission on Terrorist Attacks Upon the United States (9/11 Commission) concluded that Saudi Arabia was a “problematic ally in combating Islamic extremism,” and called on the United States to “confront problems with Saudi Arabia in the open and build a relationship beyond oil, a relationship that both sides can defend to their citizens and includes a shared commitment to

reform.” Notwithstanding CPC designation, many observers contend that, even now, the United States does not want to jeopardize important bilateral security and economic ties by pushing for political and human rights reforms. Indeed, it is the conclusion of this Commission that CPC designation and subsequent U.S.-Saudi bilateral discussions have not resulted in substantial reforms by the Saudi government concerning religious freedom.

In September 2005, Secretary of State Condoleezza Rice approved a temporary 180-day waiver of further action to allow for continued diplomatic discussions between the U.S. and Saudi governments and “to further the purposes of the International Religious

Even now, many observers contend that the United States does not want to jeopardize important bilateral security and economic ties by pushing for political and human rights reforms. Nevertheless, it is the conclusion of this Commission that CPC designation and subsequent U.S.-Saudi bilateral discussions have not resulted in substantial reforms by the Saudi government concerning religious freedom.

Freedom Act (IRFA).” The July 2006 announcement by the State Department included a renewal of the waiver by Secretary Rice. Other than the waiver, no action under IRFA has been taken by the U.S. government as a consequence of CPC designation.²

In early August 2007, Congress passed legislation (H.R. 1, “Implementing Recommendations of the 9/11 Commission Act of 2007”) that requires the President to report to it within 180 days on progress made by the Saudi

government since 2001 “to facilitate political, economic, and social reforms, including greater religious freedom...” As discussed in the recommendations below, this assessment should include progress by the Saudi government on implementation of the July 2006 confirmation of policies.

The Commission urges the U.S. government more actively and publicly to address religious freedom and other human rights issues with the Saudi Arabian government and report openly

on the success or failure to implement genuine reforms in these areas in order to ensure that initiatives by the Saudi government will result in substantial, demonstrable progress. Specific recommendations are presented below.

FINDINGS

The Commission’s findings from its visit are outlined below, followed by a detailed discussion of those findings and recommendations for U.S. policy. It should be reiterated that the Commission did not meet with a fully representative set of interlocutors during its visit. The majority of persons with whom the Commission met, both in and outside the government, stated their view that King Abdullah is making some efforts to bring much needed human rights reforms to the Kingdom. Most agreed that the pace of reform has been slow, and that obstacles—including but not limited to corruption and resistance within the Royal family and religious establishment from elements that oppose change—have hindered progress. The Commission visit confirmed that the Saudi government persists in severely restricting all forms of public religious

expression other than the government’s interpretation and enforcement of Sunni Islam.

General Findings: Lack of Progress on Reform Efforts

- Despite Saudi government pledges to institute reforms, particularly those confirmed in the July 2006 list issued by Ambassador-at-Large for International Religious Freedom John V. Hanford III, the Commission concludes that many of these promises remain just that—promises—that have not yet been reflected in the promulgation and implementation of tangible protections for human rights. Although the Saudi government has permitted some nascent steps toward the development of civil society, policies that would advance reforms have not yet been realized.

- The Commission continues to conclude that if the Saudi government were to implement fully the July 2006 policies it has previously identified

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Architect and preservationist Sami Angawi speaks with delegation leader Felice D. Gaer.

and confirmed to the U.S. government for the purpose of improving conditions for religious practice and tolerance, it would begin to diminish some of its institutionalized abusive practices that have resulted in severe violations of freedom of thought, conscience, and religion or belief in Saudi Arabia and worldwide. However, the Saudi government has not been transparent with regard to evidence of progress on these policies. Nor has it established adequate measures to implement universal human rights standards and to provide enforceable remedies to the alleged victims. The Commission concludes that, as a result, little progress has been made with regard to implementation of the policies in practice.

- Some institutional response by the Saudi government to external and internal pressures to address the country's poor overall human rights situation has resulted in the establishment of two officially tolerated human rights institutions and more public discussion in the media

about some human rights issues, including through a series of National Dialogue meetings. However, there continues to be substantial resistance to change from various sectors within the Saudi government and numerous other impediments remain. In addition, many of the recommendations that have come out of the relevant National Dialogue meetings—on the rights of women, religious extremism, and educational reform—have not been implemented.

- Despite some increase in public space to discuss human rights issues, pervasive restrictions remain on civil society and political activists, including representatives of minority religious groups, particularly regarding freedom of speech, assembly, and association. The Commission to Promote Virtue and Prevent Vice (CPVPV), also known as the religious police or *mutawaa*, exercises largely unchecked power to curtail rights, and the courts do not offer due process protecting the individual or effective remedies for violations of those rights.

State Enforcement of Religious Conformity

- Saudi Arabia has a diverse population, both regionally and religiously, despite decades of Saudi government enforcement of religious conformity. Permitting the public practice of only one interpretation of Islam and requiring public behavior to comply with this interpretation violates universal human rights standards and has resulted in discrimination and human rights violations against members of indigenous Muslim communities who follow other schools of thought, such as Shi'as, Ismailis, and non-conforming Sunnis, as well as both Muslim and non-Muslim expatriate workers.

- The Saudi government's harsh enforcement of its interpretation of Islam, together with other violations of freedom of religion, adversely affect the human rights of women in Saudi Arabia, including with regard to freedom of speech, movement, association, and religion, freedom from coercion, access to education, and full equality before the law. The Commission noted some increase in public space to discuss human rights practices affecting women. Unfortunately, the Saudi government has continued discriminatory measures aimed at the destruction, rather than realization, of many of the human rights guaranteed to women.

- There is a general attitude and policy of the government of curtailing universal rights for non-Saudi visitors to the country and inhibiting the enjoyment of human rights on an equal basis for expatriate workers, particularly the two – three million non-Muslim

workers, including Christians, Hindus, Buddhists, and others, who have come to Saudi Arabia for temporary employment. Provisions often included in labor contracts require expatriate workers to conform to Saudi religious customs and traditions, thereby waiving their inalienable human rights and submitting them to the limits of, and rights abuses by, Saudi employers.

Halting Exportation of Extremist Ideology and Intolerance in Education Materials in Saudi Arabia and Around the World

- The Saudi government has undertaken some security measures to combat extremism inside the country, such as a “re-education” program for convicted “extremists” and the retraining or dismissal of imams known to espouse extremist views. However, these efforts appear to be designed to address security concerns rather than to implement reforms to protect human rights, including religious freedom.
- The Commission received mixed and contradictory messages about which government entity in fact has responsibility over materials that are sent abroad. Due to insufficient information provided by the Saudi government, the Commission could not verify that a formal mechanism exists within the Saudi government to review thoroughly and revise educational texts and other materials sent outside of Saudi Arabia. It appears that the Saudi government has made little or no progress on efforts to halt the exportation of extremist ideology outside the Kingdom.
- There is very little transparency in the process of textbook revision, cur-

riculum reform, and teacher training efforts. Moreover, there is evidence that intolerant and inflammatory elements remain in textbooks. Despite numerous requests to obtain copies of textbooks during and after the visit, Saudi government officials did not provide a single textbook to the Commission. Furthermore, Saudi government officials did not provide requested information on 1) how many teachers and principals have been retrained; 2) how many teachers have been held accountable for deviating from the approved curriculum; or 3) whether or how teachers’ manuals have been revised to include the promotion of religious tolerance.

Curbing Harassment of Private Religious Practice

- Incidents of harassment, detention, abuse, and interference by members of the Commission to Promote Virtue and Prevent Vice (CPVPV) during non-Muslim private worship services have decreased over the past year. However, other than at a few tolerated compounds where private worship takes place, expatriate workers go to great lengths to worship in private for fear of government interference, which can occur if the worship service is too loud, has too many people in attendance, or occurs too often in the same place. Furthermore, Saudi officials do not accept that for members of some religious groups, the practice of religion requires more than the individual or a small group worshipping in private, but includes the need for religious leaders to be able to conduct services in community with others. Religious leaders continue to be prohibited from



Commissioner Michael Cromartie speaks with Turki Al Sudairy, Chair of the Saudi Government's newly established Human Rights Commission.

seeking and obtaining visas to enter and minister to local religious communities. Despite repeated requests for details on the parameters surrounding private worship, guidelines as to what constitutes “private” worship were not specified by Saudi officials.

- In addition to the abuses, the CPVPV regularly oversteps its authority with impunity and is not subject to judicial review. Despite the fact that the CPVPV is not allowed to engage in surveillance, detain individuals for more than 24 hours, arrest individuals without police accompaniment, or carry out any kind of punishment, members have been accused of killing, beating, whipping, detaining, and harassing individuals. Some Saudis would like to see the entity dissolved altogether, while others would like to see greater accountability of its employees and volunteers, including prosecution for abuses. In recent months, CPVPV abuses were the subject of numerous articles in the Arabic and English press, garnering unprecedented attention in the public and international media. There have been a greater number of

investigations of abuses, yet in the recent cases that have been prosecuted, CPVPV members have not been held accountable and complainants report summary dismissals without due process for them to obtain redress.

Empowerment of Officially Recognized Human Rights Institutions

- The government's Human Rights Commission (HRC) can advance human rights protections if it examines

all internationally recognized human rights issues and its recommendations to the Saudi government are implemented in practice. The HRC would be more representative were it to include women members; it should also include freedom of thought, conscience, and religion or belief in its initial training on international human rights. The Commission welcomes the HRC's commitment to take up the issue of societal discrimination against Muslims who

dissent from or who follow different schools of thought within Islam.

- The non-governmental National Society for Human Rights can play a more constructive role in protecting human rights by continuing to maintain its independence from the government and ensuring that its reporting and recommendations are in conformity with universal human rights standards.

STATE ENFORCEMENT OF RELIGIOUS CONFORMITY

The Commission visit confirmed that the Saudi government persists in severely restricting all forms of public religious expression other than the government's interpretation and enforcement of its version of Sunni Islam. This policy violates the rights of the large communities of Muslims from a variety of schools of Islam who reside in Saudi Arabia, including large populations of Sunnis who follow other schools of thought, Shi'as, and Ismailis, among others.³ 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. For example, only imams following a single school of Islam are permitted in the



Prince Turki Bin Mohammed Bin Saud Al-Kabeer, Deputy Assistant Minister for Political Affairs and Head of International Organizations, Ministry of Foreign Affairs

holy cities of Mecca and Medina, centers of Islamic thought traditionally reflective of Islam's great diversity because of the influx of pilgrims from all over the world.

Saudi Arabia has a very diverse population, both regionally and religiously, despite decades of Saudi government

enforcement of religious conformity. Permitting the public practice of only one interpretation of Islam and requiring public behavior to comply with this interpretation violates universal human rights norms and has resulted in discrimination and human rights violations

against members of indigenous Muslim communities who follow other schools of thought, such as Shi'as, Ismailis, and non-conforming Sunnis, as well as both Muslim and non-Muslim expatriate workers. The Saudi government attitude toward expatriate workers, particularly non-Muslim workers, is that they have come to Saudi Arabia only to work. As a result, provisions are often included in labor contracts requiring expatriate workers to conform to Saudi religious customs and traditions, forcing them to waive their inalienable human rights and subjecting the workers to the limits of, and rights abuses by, Saudi employers.⁴

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, when appearing in public women must adhere to a strict dress code and can be admitted to a hospital for medical treatment only with the consent of a male relative. Women require written permission from a male relative to travel inside or outside the country and are not permitted to drive motor vehicles. In addition, the Saudi justice system, in which courts apply Islamic law to the cases before them, does not grant a woman legal status equal to a man's. For example, testimony by a woman is equivalent to one-half the testimony of a man; 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.

During its visit, the Commission met with numerous representatives of minority Muslim communities. The Commission found that Shi'as and members of indigenous Muslim communities who follow other schools of thought are subject to government restrictions on public religious practices and official discrimination in numerous areas, particularly in government employment and education. Nevertheless, Saudi officials claimed that the government does not discriminate on the basis of different schools of thought within Islam. One high-level official pointed to the fact that the Shi'a community has its own judges on personal matters and claimed that the community funds its own mosques because they have refused government assistance. However, Shi'a interlocutors said that the community does not register its mosques because of the fear of Ministry of Interior interference in activities that are already severely restricted. According to some Shi'a interlocutors, there are no Shi'a ministers in the government and very few Shi'a leaders in large corporations or in high-level government positions, particularly in the security agencies.

Two of the major concerns that were repeatedly raised by interlocutors were the ongoing discrimination by teachers against Shi'a children and youth in schools and the intolerant content in school textbooks. Shi'a community leaders expressed concern that their children go to school and are told by state-employed teachers that they are "bad people" and that "Shi'as are worse than Christians and Jews" or "Shi'as are not true Muslims." Others showed school textbooks that contained discriminatory and inflammatory

language about Shi'as. When the Commission raised this concern with Saudi government officials, one Saudi government official simply denied it, claiming that there is no textbook in the Kingdom which says that Shi'as are infidels.

Moreover, several non-governmental interlocutors cited concerns about *fatwas* (religious edicts) issued by conservative Sunni clerics in recent years, including earlier this year, which justify committing violent acts against Shi'as. Members of the Shi'a community expressed a desire to see more active government intervention when clerics issue such inciting edicts. Furthermore, in many cases, application of criminal law includes harsher punishments for Shi'as as well as Ismailis. Since many Saudi judges consider Shi'as and Ismailis to be "non-believers," they are frequently dealt with more severely by the courts.

Upon its return from Saudi Arabia, the Commission received credible information that since January 2007, dozens of members of the Shi'a community in the Eastern Province have been detained for up to 30 days and then released for holding small religious gatherings in private homes. None of the individuals were charged with any crime, nor have Saudi authorities offered any explanation other than suggesting that the short-term detentions are punishment for holding private religious gatherings. Furthermore, the Commission learned that several British and American Shi'a men who traveled to Mecca in early August 2007 were harassed and beaten by members of the CPVPV.⁵ According to one of those detained, a member of the CPVPV was making derogatory remarks about Shi'a

Muslims in a public lecture inside a mosque. When the CPVPV member realized that the visitor was Shi'a, he arrested him after a short exchange of words. Nearly a dozen of the Shi'a men, including two minors, were detained and held overnight after hours of interrogation and verbal and physical abuse. According to one of the individuals who was detained, intervention by British and American diplomats helped secure their release.

On a positive note, several members of the Shi'a community pointed out that over the past few years, there have been some improvements for the Shi'a community in the Eastern Province, particularly regarding the public expression of religious practice. Members of the Shi'a community in Qatif, where Shi'as represent the majority of the population, held their largest public gathering in observance of Ashura without government interference earlier this year. However, authorities continue to disallow observance in other areas of the Eastern Province, such as in Al-Ahsa and Dammam. It also was noted that there has been an increase in the number of Shi'a courts for family matters and personal status. While the Shi'a community points to increased dialogue with the government, there is limited progress on a number of practical issues, such as the ability to teach Shi'a beliefs to Shi'a children in schools and the inability to re-open mosques and hussainiyas (Shi'a community centers) in Al-Ahsa and Dammam that have been closed by the government for years.

Due to U.S. Embassy security policy, the Commission was not able to visit Najran in the south, home to the vast majority of Ismailis in the Kingdom. However,

the delegation was able to meet with some non-governmental interlocutors who had knowledge of the situation of Saudi Ismailis. Like the Shi'a community, Ismailis face severe government discrimination, particularly in government employment and education. The government does not finance the building of mosques for Ismailis and has closed down several places of worship in recent years. In 2000, in the Najran region, after members of the CPVPV raided and closed down an Ismaili mosque, approximately 100 Ismailis, including clerics, were arrested. Many were released after serving reduced sentences, but dozens remained in prison for several years. As of this writing, 17 Ismailis remain in prison and some of them reportedly have been flogged.

One Ismaili, Hadi Al-Mutaif, remains in prison after originally being sentenced to death for apostasy in 1994 for a remark deemed blasphemous, which he made as a teenager. Al-Mutaif continues to serve a life sentence on reduced blasphemy charges and some non-governmental interlocutors said that because of the nature of the crime, the King cannot pardon him. Defense lawyers are trying to appeal in court, claiming that Al-Mutaif violated civil rather than criminal law. According to an official at the Interior Ministry, King Abdullah planned to pardon Al-Mutaif last year, but because Al-Mutaif's offense is considered a *hadd* crime by the court and not a *tahzir* crime, there are fewer options for intervention.⁶ According to government officials, the issue is now in the hands of the Supreme Court. The Saudi Human Rights Commission stated that it was also working on this case.



THE COMMISSION'S MEETINGS IN SAUDI ARABIA

While in Saudi Arabia, the delegation visited Jeddah, several towns in the Eastern Province, and Riyadh, the national capital. Among the Commission's interlocutors were Saudi government officials, including the Minister of Islamic Affairs, the Minister of Culture and Information, and deputy ministers from the Interior and Foreign Affairs Ministries, representatives from the government's Human Rights Commission (HRC) and members of the non-governmental National Society for Human Rights (NSHR), as well as legal experts, educators, community leaders, civil society activists, women's rights advocates, and journalists. The Commission also met with the U.S. Ambassador, the U.S. Consul General in Jeddah, and numerous U.S. Mission staff.

HALT DISSEMINATION OF EXTREMIST IDEOLOGY AND INTOLERANT LITERATURE IN SAUDI ARABIA AND ITS EXPORTATION AROUND THE WORLD

For years, the Commission has expressed concern that Saudi government funding and other funding originating in Saudi Arabia have been used globally to finance religious schools, hate literature, and other activities that support religious intolerance and, in some cases, violence toward non-Muslims and disfavored Muslims. During its visit, the Commission gained some information from Saudi government officials regarding efforts to combat extremism and contain dissemination of hate literature within Saudi Arabia. However, despite raising many questions on the subject, the Commission was told very little about Saudi government efforts

to halt the exportation of extremist ideology and literature outside the Kingdom. According to the State Department, the Saudi government either operates or tightly regulates all publishing entities inside Saudi Arabia.

Efforts to Combat Extremism Inside Saudi Arabia

The Saudi government has undertaken some security measures to combat extremism, such as a “re-education” program for convicted “extremists” and the retraining or dismissal of imams known to espouse extremist views. However, these efforts appear to be designed to

address security concerns rather than to implement reforms to protect human rights, including religious freedom. Nevertheless, the Commission was not able to assess whether such programs have been successful.

According to the Ministry of Islamic Affairs, there are approximately 72,000 mosques in the country and about 120,000 employees paid by the Ministry, including imams and muezzins (those who make the call to prayer).⁷ According to Saudi officials, the government uses several methods to deal with imams who preach hatred and extremism in mosques. The Minister of Islamic Affairs stated that there are government-appointed Islamic scholars in each province who meet with the particular imam who has been identified as advocating extremist views. In the first instance, the representative of the Ministry engages in direct dialogue by meeting with the imam in question in public to discuss the matter. If this dialogue fails to convince the imam to change his views, the Ministry representative meets with the imam privately. If this discussion is not successful, the imam will be dismissed from his post or, in some cases, criminally charged if he is found to have incited violence. According to the Ministry, several hundred imams have been dismissed since the September 11 attacks on the United States. Since the Commission visit, a press report indicated that Interior Minister Prince Naif gathered hundreds of imams and preachers in Riyadh to stress the importance of combating extremist ideas through activities such as Friday sermons.⁸



Delegation head Felice D. Gaer meets with the Minister of Islamic Affairs, Sheikh Saleh al-Shaykh.



The Ministry of Islamic Affairs claimed to have started “retraining” imams who espouse intolerance more than a year ago, and the Ministry claimed it has yielded positive results, although no statistics or detailed information were provided. Imams are purportedly trained at a special training center which allows them a chance to be exposed to more moderate views. Saudi officials also told the Commission that teachers, imams, or professors who promote hatred and intolerance are dismissed. Those let go can work in other fields of public or private employment, but not within the education system. In many cases, if an imam is terminated from his job, he should be able to support himself financially through another job, since imams receive a small monthly stipend (approximately \$500-800 per month) and not a full salary.

Among those people who have been arrested for promoting hatred and inciting violence, several, particularly those who have been sentenced to prison terms, have gone through a “re-education” program that aims to encourage prisoners to renounce extremist beliefs. According to one high-level Saudi official, more than 700 individuals have gone through this program and been given jobs, and then subsequently tracked and monitored. Furthermore, Saudi authorities claim to make every attempt to arrest those who promote violent acts, not just the perpetrators. Despite repeated requests by the Commission during and after its visit, no further statistics or details on dismissals were provided; nor

was the Commission permitted to meet any “retrained” imams or those engaged in the training process.

Efforts to Halt Exportation of Extremist Ideology Outside Saudi Arabia

Saudi authorities categorically denied that extremist literature or materials were ever distributed through official government channels outside the country, despite numerous well-documented studies and reports to the contrary.⁹

There was acknowledgement from some officials that before the September 11 attacks, many Saudi Muslim volunteers took it upon themselves to distribute extremist materials abroad. Saudi authorities claim to have found a “very small amount” of intolerant material abroad that would be considered extremist and this material has been subsequently destroyed. According to Saudi officials, unless there is explicit permission by the Ministries of Culture and Information or Islamic Affairs, no materials can be sent overseas. Despite requests for further clarification, the Commission could not confirm whether a formal mechanism exists to review thoroughly and revise educational materials and other materials sent outside of Saudi Arabia. In addition, the Commission received mixed and contradictory messages about which government entity has responsibility over materials that are sent abroad.

When asked about reports that Islamic affairs sections in Saudi embassies worldwide have been responsible for both distributing extremist and intolerant

It appears that the Saudi government has made little or no progress on efforts to halt exportation of extremist ideology outside the Kingdom.

materials and providing diplomatic status to Muslim, even non-Saudi, clerics, a high-level Saudi official said that these sections have been temporarily closed, pending reorganization, due to these reports. No time-frame was given for these reorganization efforts. In the meantime, the Commission was told, the Ministry of Foreign Affairs is analyzing what further steps should be taken. However, it is not clear if the activities of the Islamic Affairs sections are being carried out through other entities in Saudi embassies. Despite requests for clarification, the Commission was not able to determine whether diplomatic status is still being given to religious personnel, including imams and religious teachers, both Saudi citizens and non-Saudi foreign nationals.

Exportation of Extremism: an American Case in Point?

The Commission has raised concerns for many years that the Saudi government and members of the royal family directly and indirectly fund the global propagation of an ideology which promotes hatred,



USCIRF delegation meets with Iyad bin Amin Madani, Minister of Culture and Information. Commissioners Felice D. Gaer and Preeta D. Bansal are to the right; to the left, with their backs to the camera, are Commissioners Imam Talal Eid and Michael Cromartie.

intolerance, and other human rights abuses, including violence. The concern is not about the propagation of Islam per se, but about credible reports that the Saudi government's version of Islam promotes abuses of human rights, including violent acts, against non-Muslims and disfavored Muslims. One potential example that has gained attention in recent years is the Islamic Saudi Academy (ISA), located in northern Virginia. The operation of the school raises serious concerns about whether it is in violation of a U.S. law restricting the activities of foreign embassies. As outlined further below, the Commission accordingly recommends that the Secretary of State commence immediate diplomatic discussions and appropriate actions under the Foreign Missions Act.

Potential Violations of Foreign Missions Act

The ISA purports to be a private school but:

- it operates on two northern Virginia properties owned or leased, according

to Fairfax County records, by the Royal Embassy of Saudi Arabia. The property is formally leased to “the Royal Embassy of Saudi Arabia d/b/a [doing business as] the Islamic Saudi Academy;”

- the Saudi Ambassador to the United States is the chairman of the school's board of directors which, according to the ISA website, “oversees the educational and administrative operation” and “provides direction and guidance to every aspect of” the school¹⁰;
- on numerous occasions, Saudi Embassy officials have spoken to the press on ISA's behalf. This is despite the fact that while foreign governments can engage in lawful non-diplomatic activity in the United States, they may not, according to the law, do so by and through their embassy¹¹;
- the school appears to be substantially funded by the government of Saudi Arabia and, according to its own website, uses Saudi government “curriculum, syllabus, and materials” in the portion of its program that is taught in Arabic.

The Foreign Missions Act gives the Secretary of State the authority to regulate foreign missions in the United States and the broad discretion to decide how to treat such missions based on, among other things, “matters relating to the protection of the interests of the United States.”¹² The Secretary's authority includes the powers to require a foreign mission to divest itself of or forgo the use of property and to order it to close.

Under the Act, a foreign mission is defined as “any mission to or agency or entity in the United States which is involved in the diplomatic, consular, or other activities of, or which is substantially controlled by, a foreign government... including any real property of such a mission and including the personnel of such a mission.”¹³ The Saudi Embassy and Ambassador clearly fall within this definition, as do the two properties on which the Islamic Saudi Academy is operating since they are owned or leased by the Embassy.¹⁴ In addition, the definition of a foreign mission could also encompass ISA itself, given the evidence of Saudi government control.

Background of Commission's Concerns

Significant concerns remain about whether what is being taught at the ISA promotes religious intolerance and may adversely affect the interests of the United States. In December 2003, a former Saudi judge and Saudi journalist presented a study on the state religious curricula in boys schools in Saudi Arabia at the second National Dialogue forum on religious extremism and moderation. The study found that the approach used in the texts “encourages violence toward others, and misguides the pupils into believing that in

order to safeguard their own religion, they must violently repress and even physically eliminate the ‘other’.”¹⁵ They cited examples found in the textbooks, such as “the blood and property of the polytheists are permitted” and “there is no prohibition on spilling their [polytheists] blood.”¹⁶ Furthermore, one scholar who examined “revised” state religious textbooks concluded that “there are passages in the various Tawhid editions stating that the blood and property of polytheists may be taken by Muslims, and these passages have been contextualized but not removed...What remains then, is a principle of behavior sanctioning the murder of those with whom one disagrees.”¹⁷

Moreover, a 2006 report analyzing some Saudi textbooks from the 2005-2006 school year found that “a ninth grade Saudi textbook on Hadith teaches teenagers in apocalyptic terms that violence towards Jews, Christians and other unbelievers is sanctioned by God.”¹⁸ For example, the textbook reads, “the hour [of judgment] will not come until the Muslims fight the Jews and kill them.”¹⁹ Another example taken from a twelfth grade textbook reads, “Jihad in the path of God – which consists of battling [Arabic, qital] against unbelief, oppression, injustice, and those who perpetrate it – is the summit of Islam.”²⁰ The study concludes that “while, as the text explains, one of the meanings of jihad is self-perfection or ‘wrestling with the spirit’, it acknowledges a more militant meaning as well.”²¹ This state-driven disregard for freedom of religion not only violates international human rights standards, but also serves to embolden radical Islamists who seek to perpetuate acts of terrorism and other violence on Americans and others around the world.

These concerns are exacerbated by the Saudi Embassy officials’ repeated refusals, despite the strong basis of concern and requests from the Commission and Members of Congress, to make textbooks available for outside scrutiny. The Saudi government has claimed that it has made changes to the textbooks, including in the July 2006 confirmation of policies, by stating that it thoroughly reviews and revises “educational materials and other literature sent abroad to ensure that all intolerant references are removed, and where possible, attempts to retrieve previously distributed materials that con-

tain intolerance.” Nevertheless, none of these textbooks have been made available by the Saudi government to the Commission or other U.S. official entities despite repeated requests over a period of several years by the State Department and the Commission to multiple Saudi representatives, including the Saudi Ambassador to the United States and other responsible officials. Following its visit to Saudi Arabia, the Commission requested copies of the textbooks used at the ISA, but as of this writing, Saudi Embassy officials have not made them available.



Mecca Gate, Jeddah

REVIEW AND REVISE EDUCATIONAL MATERIALS AND TEXTBOOKS AND REMOVE INTOLERANT REFERENCES

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.²² 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 educational materials published by the Ministry of Education.²³ It was these very kinds of contradictory assessments that the Commission sought to learn more about during its visit to Saudi Arabia. However, as mentioned above, the Commission's request to meet with a representative of the Ministry of Education was denied.

In several meetings with a variety of other Saudi officials, the Commission requested copies of textbooks, which were not supplied during the visit. Specifically, the Commission requested copies of textbooks used at all grade levels on *hadith* (Islamic traditions), *fiqh* (matters of religious law and ritual), *tawhid* (matters of belief), and Arabic language and Saudi history. Despite the promise of several officials to send them to the Commission's office in Washington and later written requests, as of this writing, nothing has been received. A July 2007 letter to the Commission from the Saudi Human Rights Commission stated that textbooks currently are being reviewed and copies would be sent to the Commission upon completion, although no completion date was given. The Commission delegation was told by U.S. Embassy officials that it also

had not received copies of textbooks from the Saudi government, despite numerous requests over a period of several years.

According to a high-level Saudi official, oversight for textbooks and curricula fall within the jurisdiction of the Ministry of Education and the Ministry of Higher Education. The Ministry of Islamic Affairs stated that it does not have jurisdiction over textbooks or the education curriculum. Saudi officials did confirm that an inter-Ministerial committee was formed "some years ago" to review textbooks for intolerant content, although it was never made clear whether final decisions for changes to be made were under the purview of the Ministry of Education or the inter-Ministerial committee. A high-level Foreign Ministry official told the Commission that the Saudi government did review all the textbooks and removed language that was deemed to promote hatred and violence. According to this official, a representative of the Foreign Ministry served as a member on the committee. Most Saudi officials admitted to some intolerant material in textbooks, but claimed that this was a very small portion of the curriculum. Furthermore, Saudi officials contended that much progress has been achieved over the past two – three years and that the government continues to work on the issue. They also claimed that the government does not discriminate against any particular religious group and that government textbooks do not promote discrimination against people of different religious backgrounds. However, as discussed below, evidence from textbooks shown to the delegation privately demonstrates the contrary.



Princess Loulwa Bint Faisal, Vice Chair of the Board and General Supervisor of Effat College for Women in Jeddah, Speaks with Commissioner Elizabeth Prodromou.

During the visit, non-governmental interlocutors offered varied perspectives on Saudi textbooks and the education system. Some claimed that the Saudi government has made progress in removing some disparaging references in textbooks, and ascribed the overhaul to both internal and international pressure. Others, however, while stating that some intolerant material had been removed over the past few years, indicated that much objectionable and discriminatory material remains. Some individuals pointed out that children from non-Sunni families must, on exams, affirm statements in the textbooks to the effect that their own religious beliefs are false; these children will otherwise fail the course and be forced to repeat it until they answer correctly. This is particularly true when the texts refer to Shi'a beliefs and tenets. The consequences frequently induce serious confusion for children regarding their beliefs, and, in some cases, psychological trauma.

Despite a request for clarification by the Commission, the Saudi government officials did not respond to questions as to whether all students at the primary,

secondary, or university levels are required to receive the same instruction in Islamic religious education, regardless of the child's religious background. Nor would the officials clarify whether students from different religions or sects of Islam are able to question the conclusions drawn about their sects or communities in the classroom. Private individuals told the Commission that only one form of Islam is taught in schools and several Shi'a interlocutors supported this claim.

Other non-government interlocutors drew attention to additional weaknesses in the education system that resulted in the promotion of intolerance. Many pointed to the fact that the majority of Saudi teachers were poorly qualified; others stated that most teachers indoctrinated students in a "culture of intolerance"

and that the attitudes and training of the teachers needed to be addressed in order to bring about change in the system.

Some argued that regardless of the quality of the textbooks, it is the teachers who are manipulating the texts to promote intolerance, rather than understanding, among and between religious groups, Muslim and non-Muslim alike.

On this matter, one Saudi government official claimed that some teachers who promote intolerance and hatred have been fired and that others are being retrained. However, despite attempts to get further information from Saudi authorities, the Commission did not receive information about how many teachers and principals have been retrained. Furthermore, the Saudi government did not provide information about how many

teachers have been held accountable for deviating from the approved curriculum or if teachers' manuals have been revised to include promotion of tolerance.

Some non-governmental interlocutors stated that the entire education system is in disarray and needs a complete overhaul, beyond simply removing intolerant language in the textbooks, to ensure that students are properly prepared for the job market. Earlier this year, the Saudi government approved a \$3 billion project "to ensure overall development of its students by increasing their knowledge as well as their physical, professional, psychological and intellectual capabilities."²⁴ According to interlocutors, this process will take approximately three years to complete. However, none of these reform efforts will directly address the issues of intolerance.

ENSURE PRIVATE WORSHIP AND THE ABILITY TO OBTAIN AND POSSESS RELIGIOUS MATERIALS WITHOUT HARASSMENT

There are no non-Muslim citizens in Saudi Arabia and no places of worship in the country are permitted other than mosques. In addition, the Saudi government enforces and limits public worship to its sanctioned version of Sunni Islam.

In meetings with the Commission delegation, several Saudi officials argued that it is not possible to have places of worship other than mosques in the Kingdom because Saudi Arabia is home to Islam's two holiest sites: Mecca and Medina. Moreover, most officials asserted that there is a *hadith* (oral tradition) from the Prophet Muhammad which says that only

Islam can exist on the Arabian Peninsula, although another Saudi official and other interlocutors contended that this *hadith* is subject to differing interpretations. Although the Commission pointed out that other countries on the Arabian Peninsula, such as Qatar and the United Arab Emirates, do permit non-Muslim public places of worship, some officials went so far to state that having non-Muslim places of worship on Saudi soil would be equivalent to building mosques on Vatican property in Italy. Commissioners drew a distinction between a geographic entity in Italy of two square miles with 800-900 residents

versus a country the size of Saudi Arabia containing between two – three million non-Muslim residents. In addition, some officials claimed, without providing any evidence, that if a non-Muslim place of worship were built in the Kingdom, the public would be outraged and the place of worship would be subject to attack by extremists and conservative elements in the Kingdom. Another official claimed, again without providing any evidence, that public opinion among Muslims outside of Saudi Arabia would never permit the government to allow public worship by non-Muslims because the Kingdom is

home to the twin holy sites. What is more, some officials suggested that if expatriate workers wish to practice their faith in public, they should leave Saudi Arabia and go to other countries in the region.

Saudi officials reiterated the government position that non-Muslim expatriate workers are permitted to worship in private. However, guidelines as to what constitutes “private” worship remain unclear and vague. The Foreign Ministry estimated that there are between two – three million non-Muslim expatriate workers in the Kingdom. Some officials suggested that as long as non-Muslims practice their religion in small groups in private homes, no security entity would interfere, since there is no law that prohibits non-Muslims from practicing in this manner. Furthermore, they maintained that members of the Commission to Promote Virtue and Prevent Vice (CPVPV) are not permitted to enter private dwellings under any circumstances.

Despite these claims, there continue to be instances in which members of the CPVPV have entered and raided private homes where non-Muslim expatriate

workers were worshipping. According to some non-governmental interlocutors, the incidents of raids on private homes of non-Muslim expatriate workers by members of the CPVPV and other security authorities have decreased in the past year. However, expatriate workers from countries such as the Philippines, India, Pakistan, and some African countries continue to be vulnerable to surveillance and raids by Saudi authorities, despite the fact that CPVPV members are not permitted to conduct such surveillance.²⁵ In fact, representatives of non-Muslim communities continue to assert that, in practice, religious freedom simply does not exist in the Kingdom. The Commission was told, however, that conditions for private worship are better in the Eastern Province than elsewhere in the country, such as in the Nejd region in the central part of the country, where private religious services continue to be surveilled and, in some cases, raided by Saudi authorities.

It is unclear whether Saudi missions abroad inform expatriate workers who will be entering the Kingdom about their right to private worship, including the

right to bring personal religious materials inside the Kingdom. Despite previous assurances by the Saudi government that this policy is in place, requests for clarification were not answered. Furthermore, Saudi officials do not accept that for members of some religious groups, the practice of religion requires more than individual private worship, but includes the need for religious leaders to be able to conduct services in community with others. Religious leaders continue to be prohibited from seeking and obtaining visas to enter and minister to local religious communities.

On a positive note, non-governmental interlocutors indicated that there has been a decrease in the practice on the part of customs officials of confiscating personal religious materials when expatriate workers or visitors enter the Kingdom. Nevertheless, in August 2007, a press report found that the official Web site of the state-owned Saudi Arabian Airlines included information for travelers that the Airlines claimed was based on Saudi government customs regulations: “Items and articles belonging to religions other than Islam are also prohibited. These may include Bibles, crucifixes, statues, carvings, items with religious symbols such as the Star of David, and others.”²⁶ This information clearly contradicts the reported Saudi policy, also confirmed to the United States, that customs inspectors at borders will not confiscate personal religious materials. Within days of the publication of the initial press report and other subsequent articles, the Saudi Arabian Airlines Web site removed the language about prohibiting specific religious materials.



Leaders of Saudi Arabia's Shi'a Muslim minority community meet with the Commission delegation in Qatif.

CURB HARASSMENT OF RELIGIOUS PRACTICE

Restrictions on public religious practice, for both Saudis and non-Saudis, are officially enforced in large part by the Commission to Promote Virtue and Prevent Vice (CPVPV), a government entity that includes a force of approximately 5,000 all-male field officers and a total of 10,000 employees in over 500 offices throughout the country. There are also hundreds of “unofficial” volunteers who take it upon themselves to carry out the work of the CPVPV. The CPVPV, which reports to the King, is tasked with enforcing public morality based on the Saudi government’s interpretation of Islamic law. Members of the CPVPV patrol the streets enforcing dress codes, maintaining the strict separation of men and women, and ensuring that restaurants and shops are closed during daily prayers. During its visit to the Kingdom, Commission requests to meet with representatives of the CPVPV were denied by the Saudi government.

Within the past year, members of the CPVPV have occasionally conducted raids on worship services in private homes. They continue to harass, detain, whip, beat, and otherwise mete out extra judicial punishments to individuals deemed to have strayed from “appropriate” dress and/or behavior, such as wearing Muslim religious symbols not sanctioned by the government.

Saudi officials told the Commission delegation that members of the CPVPV are required to be accompanied by law enforcement officials while in the line of duty, although this is not always the case in practice. One high-level Saudi official said that CPVPV members are required to

In recent months, CPVPV abuses were the subject of numerous articles in the Arabic and English press, garnering unprecedented attention in the public and international media. There have been a greater number of investigations of abuses, yet in the recent cases that have been prosecuted, CPVPV members have not been held accountable and complainants report summary dismissals without due process for them to obtain redress.

be trained, but many are not, and others work alone instead of together with police officers. According to one press report, members of the CPVPV did not receive their first ever training until early September 2007.²⁷ According to the Interior Ministry, members of the CPVPV do not have the right to detain or conduct investigations of suspects and must immediately turn suspects over to the police.²⁸ Saudi government officials claimed to have dismissed and/or disciplined members of the CPVPV for abuses of power, although reports of abuse persist.

During the Commission’s visit, representatives of the National Society for Human Rights (NSHR) said that it had received numerous complaints from Saudi citizens and expatriate workers about alleged abuses by the CPVPV. In its first ever report released in May 2007, the NSHR documented several such cases, including unsubstantiated accusations, questionable interrogation practices, beatings, unnecessary body searches, forced entry into private homes, and coerced confessions.²⁹ The NSHR has

recommended that CPVPV regulations be specified publicly for clarification. According to representatives of the NSHR, members of the CPVPV are required to wear uniforms and badges, but many do not comply with this regulation and it is not necessarily enforced.

In recent months, there has been unprecedented media coverage, both inside and outside Saudi Arabia, of alleged abuses by the CPVPV. At least four separate cases have gone to trial or are going to trial, including alleged beatings and deaths of Saudi citizens.³⁰ In late May 2007, nearly a dozen members of the CPVPV raided the home of a man suspected of possessing and selling alcohol in Riyadh. The 28 year-old man, Salman al-Huraisi, died in custody at one of the CPVPV offices in Riyadh, and family members accused members of the CPVPV of beating him to death. Autopsy results confirmed that he died due to physical abuse. After an investigation by Saudi authorities, in June the Riyadh Governorate announced that all official CPVPV members involved were cleared of any wrongdoing, and that



Commissioners Leonard Leo, Preeta D. Bansal, Felice D. Gaer, Michael Cromartie and Imam Talal Eid flank the Deputy Interior Minister, Dr. Ahmad al-Salem.

an “unofficial” volunteer, or part-time worker, would be held responsible for the death of the man.³¹ Even before the official investigation was complete and the announcement made, Minister of Interior Prince Naif stated publicly that a preliminary investigation proved that members of the CPVPV were not responsible for the man’s death.

In another case, a man died in early June in the northern town of Tabuk in the custody of members of the CPVPV after he was apprehended for being found alone in a vehicle with a female who was not his relative. It was later established that the man, Ahmad al-Bulaiwi, was a part-time driver for the woman’s family. Four individuals, including three members of the CPVPV and a police officer, went on trial

for their involvement in the man’s death; however, in late July, the court dropped the charges against all four men, reportedly due to the fact that an autopsy showed the man died of natural causes while in CPVPV custody.³² Bulaiwi’s family is appealing the decision of the court.

Several non-governmental interlocutors with whom the Commission met expressed outrage about the abuses of the CPVPV and believe that members of the CPVPV have long overstepped their authority with impunity. Many expressed concern that CPVPV members believe themselves to be “above the law” and have never been held responsible for abuses. Some believe that a *fatwa* (religious edict) exists that does not allow CPVPV members to be held accountable

under the law, although this *fatwa* could not be verified. Despite the media attention, many believe that members of the CPVPV will not be prosecuted or brought to justice because they are protected by elements within the religious establishment and the Royal family.

In July 2007, after the Commission’s visit, Interior Minister Prince Naif issued a directive requiring CPVPV members to deliver immediately any individual arrested—male or female—to local authorities, reaffirming a Royal decree issued in 1981.³³ According to this directive, interrogations at CPVPV centers are prohibited and members who fail to abide by the guidelines should be dismissed. Furthermore, the directive gives authority to the General Investigation and Prosecution Authority to conduct random inspections at CPVPV offices. In June, the president of the CPVPV, Ibrahim al-Ghaith, announced that the CPVPV had established a legal department, the Department of Rules and Regulations, to handle legal matters and compliance with internal regulations, and had hired a spokesperson to handle public relations at its national headquarters.³⁴ It is too early to determine if these changes represent genuine reform efforts or only reform on paper.

Despite specific requests for further information, the Commission did not receive any response from the Saudi government on the number of CPVPV members who have been trained or retrained to ensure that the human rights of Muslims and non-Muslims are protected. In addition, the Saudi government did not respond to an inquiry about the number of CPVPV members who have been held accountable in the past for committing abuses or overstepping their jurisdiction.

EMPOWERMENT OF OFFICIALLY SANCTIONED HUMAN RIGHTS INSTITUTIONS

Human Rights Commission

In September 2005, the Council of Ministers, chaired by King Abdullah, approved the establishment of a government-appointed, 24-member Human Rights Commission (HRC) that reports directly to the King. The membership of the HRC was not finalized until early 2007 and does not include any female members. The HRC is mandated to “protect and promote human rights in conformity with international human rights standards in all fields, to propagate awareness thereof, and to help ensure their application in a manner consistent with the provisions of the Islamic Sharia.”³⁵ During its visit, the Commission delegation met with the HRC’s Chair, Turki Al Sudairy, and numerous members of its Board.

According to several members, the HRC hopes to develop a knowledge of international human rights norms among the citizens and residents of the Kingdom, including about international treaties that the Saudi government has ratified. Because the Koran is the constitution of the country, members of the HRC stated that the country must operate strictly in accordance with Islamic law. The HRC stated that it already has negotiated agreements for cooperation with some government agencies, including the Ministry of Defense, the Ministry of Social Affairs, and the Red Crescent Society. In July 2007, the Ministry of Islamic Affairs agreed to work with the HRC to begin an awareness campaign in the Kingdom “to promote the ideals of human rights in the teachings of

Islam.”³⁶ The campaign will focus on creating awareness among Saudi citizens and residents about the teachings of human rights in Islam and will reportedly include Friday sermons, with the intention that imams will take part in fostering a culture of human rights in mosques.

The HRC has not yet trained the police and security forces in human rights practices, but plans to do so. In addition, the HRC has initiated a dialogue with the Office of the UN High Commissioner for Human Rights (UNHCHR) in Geneva and UNHCHR representatives are scheduled to go to the Kingdom to conduct a training session for members of the Board. According to members of the HRC, the Board will also receive technical assistance from the UN in Geneva.

The HRC is also developing pamphlets on various human rights issues to demonstrate that human rights are not a “foreign” concept, but rather, in accordance with Islam. In this context, however, one of the representatives of the HRC told the Commission that there are two principles in the Universal Declaration of Human Rights with which it disagrees: 1) allowing Muslim women to marry non-Muslim men, and 2) conversion from Islam to another faith, although the HRC representative acknowledged that the latter is in dispute among Muslim scholars.

Procedurally, the HRC receives complaints from individuals and follows up to determine whether there has been a possible violation. The HRC then begins an investigation and makes appropriate

recommendations to relevant government agencies. According to the HRC, it has received more than 1,000 complaints and has resolved at least two-thirds of them.

The members of the HRC identified several ways in which the HRC and the Saudi government are working to advance freedom of religion or belief in the Kingdom. These include the fact that: 1) the King regularly makes statements against religious bigotry; 2) the King Abdul Aziz National Center for Dialogue brings together all sectors of society, including various Muslim sects; 3) the government has removed approximately 2,000 imams who preached religious hatred and intolerance; 4) the HRC is introducing a “culture of human rights” to the public; 5) several cases involving imams inciting violence were brought to the attention of the HRC, which reported the cases to the relevant Ministries; and 6) an HRC women’s section will be established soon to deal with women’s rights in accordance with sharia. In addition, during the Commission’s visit, the HRC publicly announced that it would take up the issue of societal discrimination against Muslims who follow different schools of thought within Islam.³⁷

Several Board members admitted that the HRC’s mission is still in the process of being formulated. They acknowledged that there is much to be accomplished, but also expressed a need to move slowly and introduce concepts gradually, so as not to push too hard on a population that is not familiar with international human rights concepts,

particularly those related to freedom of religion or belief.

It is the Commission's view that the HRC can advance human rights protections if it examines all internationally recognized human rights issues and its inquiries regarding individual complaints and recommendations to the Saudi government are implemented in practice.

National Society for Human Rights

In March 2004, the Saudi government approved the formation of a National Society for Human Rights (NSHR), the country's first and up to now the only independent, legally recognized human rights body. The NSHR is comprised of 41 members, including 10 women, and is chaired by a member of Saudi Arabia's Consultative Council (or Shura), a 150-member advisory body. The NSHR, which was originally endowed by King Fahd, submits its reports and recommendations directly to King Abdullah. The Commission delegation met with members of the NSHR in Jeddah, the Eastern Province, and at its national headquarters in Riyadh. The NSHR has offices in Riyadh,



Delegation Head Felice D. Gaer with Dr. Saleh Al-Khathlan, Member of the National Society for Human Rights, in Riyadh.



Turki Al Sudairy, Chair of the Saudi Government's newly established Human Rights Commission, second from right, and other Members of the Commission meet with the USCIRF delegation.

Jeddah, Dammam, and Jizan, and will be opening an office in the northern region in the near future.

Representatives of the NSHR stated that they work to promote the human rights of all in Saudi Arabia, both citizens and residents, as well as Saudi citizens abroad. They obtain information through individual complaints, site visits, public reports, and the media. The NSHR also studies state compliance with Islamic and international law and works to explain to the public that there is no contradiction between international human rights standards and Islamic law. According to members of the NSHR, their work is conducted in accordance with Islam and they are hoping to clarify through reporting that many human rights problems arise in the Kingdom because of old, outdated traditions and customs rather than religious precepts. Therefore, the issues can be addressed without contradicting Islamic principles.

The NSHR works with Saudi government agencies in order to press for the implementation of its recommendations. Representatives of the NSHR told the Commission it had already received cooperation from several government agencies, admitting, however, that the Ministry of Interior has not been fully cooperative. Generally speaking, the NSHR continues to have difficulties in getting government agencies to comply with international standards. As of this writing, no members of security agencies have received training on international human rights treaties, including the UN Convention Against Torture, which NSHR members believed to be particularly important for security personnel. According to members of the NSHR, government agencies are required to respond to NSHR inquiries within three weeks, but this does not usually happen in practice.

Over the last three years, NSHR officials explained that the organization had

received approximately 8,500 complaints in various areas, from judicial issues to labor matters. Representatives claimed to have resolved almost 70 per cent of all complaints. Expatriate workers also lodge numerous complaints with the NSHR. Complaints related to family matters make up approximately 40 percent of all cases; some of the most important issues on the social level are domestic violence, divorce, and sexual harassment by relatives. According to the NSHR, raising women's issues used to be a taboo some years ago, but today their issues can more openly be discussed in the media and in public. The NSHR office in Dhahran said it receives at least four complaints about domestic violence per day. According to NSHR members, the Ministry of Social Affairs recently established a new unit within the Kingdom to deal with violence against women.

Just days before the Commission delegation arrived in Saudi Arabia, the NSHR published its first ever report calling for wide-ranging improvements in human rights practices in the Kingdom. The lengthy report details abuses in the Kingdom on most international human rights issues and offers numerous recommendations for the Saudi government.

Although the section of the NSHR report on the "Right to Freedom of Religion and Belief" uses religious justifications to support the international right to freedom of religion or belief, it also reaches some troubling conclusions. The section highlights the fact that there should be no compulsion in religion and that "it is forbidden to force someone to forsake his religion and adopt another...[and] man's freedom to choose his religion is the basis of belief."³⁸ Later in the section, the report states that "every individual is free to believe in anything and

to adopt any ideas he wants." However, the report also specifies reasons that so-called apostates from Islam deserve retribution: "the apostate...according to Islamic Sharia, deserves punishment for raising *fitnah* (sedition), mayhem and damaging the general public order of the Islamic state." The Commission is disappointed that the report does not discuss any objections, from scholars or from a universal human rights perspective, to the concept of apostasy or the severe punishments. The report notes that no one has been executed for apostasy in recent years and claims that non-Muslims enjoy the right to private worship.

The section also states that because of decades of "conservative religious culture," there is a consensus within Saudi society that no religion other than Islam should be practiced in public. The report concludes that "this does not represent a violation of the right to freedom of belief, which is essentially a personal belief..." Despite the NSHR's conclusions, it should be noted that the Universal Declaration of Human Rights and international treaties to which Saudi Arabia is a party clearly provide that the right to freedom of religion or belief includes freedom "either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching."

The Commission believes that the NSHR can play a more constructive role in protecting human rights by maintaining its independence from the government and ensuring that its reporting and recommendations are in conformity with universal human rights standards.

¹ Office of the Spokesman, State Department Media Note, "Ambassador at Large for International Religious Freedom Briefs Congress on U.S.-Saudi Discussions on Religious Practice and Tolerance," July 19, 2007 (<http://www.state.gov/r/pa/prs/ps/2006/69197.htm>).

² Under IRFA, the simple designation as a CPC is not by itself sufficient action. CPC designation carries an obligation that one or more of certain actions specified in Section 405 of IRFA be taken, unless the Secretary of State, as the President's designee, determines that pre-existing sanctions are adequate or otherwise waives the requirement.

³ Unfortunately, the Commission did not have access to certain Muslim minority communities. Therefore, this section of the report is limited in its focus to minority Muslim communities on which the Commission obtained firsthand information.

⁴ Expatriate workers are also reportedly subject to physical abuse by their employers.

⁵ Commission staff interviewed one of the American Shi'a Muslim visitors upon his return to the United States in September 2007. Also see Stephen Schwartz, "Saudi Arabia's Koran Cops," *The Weekly Standard*, September 3, 2007 (<http://www.weeklystandard.com/Content/Public/Articles/000/000/014/023xwsaa.asp>).

⁶ Hadd, a punishment mandated by the Koran, generally cannot be overturned by the state. Tahzir, a punishment not mandated by the Koran, is considered discretionary and less serious and can be overturned by the state.

⁷ The primary mission of the Ministry of Islamic Affairs is to supervise and finance the construction and maintenance of the vast majority of mosques in the country, in addition to spreading the teachings of the Koran and translating it into as many languages as possible. The Ministry also maintains all Islamic endowments, particularly the two holy sites in Mecca and Medina. The Ministry publishes Korans and reviews materials in mosques to ensure compliance with its standards.

⁸ Raid Qusti, "Awareness Drive to Promote Human Rights Set," *Arab News*, July 11, 2007 (<http://www.arabnews.com/?page=1§ion=0&article=98370&d=11&m=7&y=2007>).

⁹ For example, see 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).

¹⁰ <http://www.saudiacademy.net/html/Admin-Committee.html>.

¹¹ Foreign Missions Act, 22 U.S.C. §4301 et seq.

¹² 22 U.S.C. 4301 (c).

¹³ 22 U.S.C. 4302 (a)(3).

¹⁴ The Act broadly defines the "real property" of a foreign mission as "any right, title or interest in or to, or the beneficial use of any real property in the United States. . . ." 22 U.S.C. 4302(a)(4).

¹⁵ Aluma Dankowitz, "Saudi Study Offers Critical Analysis of the Kingdom's Religious Curricula," *The Middle East Media Research Institute*, November 9, 2004, (<http://memri.org/bin/articles.cgi?Page=countries&Area=saudiArabia&ID=IA19504>).

¹⁶ *Ibid.* In this case, polytheists can be identified as anyone, Muslim or non-Muslim, who do not adhere to the Saudi government interpretation of Islam.

¹⁷ Eleanor Abdella Doumato, "Saudi Arabia: From 'Wahhabi' Roots to Contemporary Revisionism," in *Teaching Islam: Textbooks and Religion in the Middle East*, edited by Eleanor Abdella Doumato and Gregory Starrett, Lynne Reiner Publishers: Boulder and London, 2007. Doumato evaluated textbooks used during the 2001/2002 school year and compared them with revised textbooks from the 2003/2004 school year, p.171.

¹⁸ Center for Religious Freedom and Institute for Gulf Affairs, *Saudi Arabia's Curriculum of Intolerance, Freedom House, 2006*, p. 25 (http://www.hudson.org/files/publications/CRF_SaudiReport_2006.pdf).

¹⁹ *Ibid.*

²⁰ *Ibid.*, p. 29.

²¹ *Ibid.*

²² "Summary of Saudi Arabia's Comprehensive Program to Revise the National Educational Curriculums," Royal Embassy of Saudi Arabia, Washington, DC, March 2006.

RECOMMENDATIONS

Below are Commission recommendations regarding U.S. policy toward Saudi Arabia.

1 Strengthen U.S. Human Rights Diplomacy as Part of the Bilateral Relationship

The U.S. government should:

- continue to designate Saudi Arabia a “country of particular concern,” or CPC, under IRFA, for engaging in systematic, ongoing, and egregious violations of the right to freedom of religion or belief;
- create a formal mechanism to monitor implementation of the July 2006 policies as part of every meeting of the United States-Saudi Arabia Strategic Dialogue, co-chaired by the U.S. Secretary of State and the Saudi Foreign Minister; and ensure that U.S. representatives to each relevant Working Group of the Strategic Dialogue, after each session, or at least every six months, report its findings to Congress;
- work with the Saudi government to establish a civil society component of the United States-Saudi Arabia Strategic Dialogue so that non-governmental entities from both countries can be given a platform to discuss mutual human rights concerns, including freedom of religion or belief;
- report to Congress, as part of the reporting required under H.R. 1, Section 2043 (c) (1(b)) (“Implementing Recom-

mendations of the 9/11 Commission Act of 2007”), on progress by the Saudi government to implement the July 2006 previously identified and confirmed policies related to religious practice and tolerance; a description of such progress should include Saudi government transparency and any benchmarks and timetables established for implementation of the July 2006 conformed policies;

- expand the religious educators program—which brings Saudi religious leaders and scholars to the United States through a three week International Visitor Program (IVP) to learn about religious freedom in the United States—to include visits to Saudi Arabia by appropriate American leaders and educators, and increase the numbers and diversity and range of experience of visitors to both countries;
- address the work of the Human Rights Commission (HRC) and National Society for Human Rights (NSHR) by:
 - urging the Saudi government to ensure that all government agencies cooperate fully with the HRC and the NSHR, including by publishing the decree requiring cooperation and abiding by it, including with penalties for failure to cooperate;
 - urging the HRC to study the situation of freedom of religion or belief

in the Kingdom, based on universal human rights standards, and report its findings publicly;

- offering to facilitate training on universal human rights standards, including the right to freedom of thought, conscience, and religion or belief, as well as to provide limited technical support on universal norms to the HRC and NSHR; and
- urging the Saudi government to implement recommendations from the NSHR’s May 2007 report, which, while not addressing religious freedom concerns per se, if implemented, could be a welcome initial step towards improving overall human rights compliance in the Kingdom.

2 Address Exportation of Extremist Ideology and Intolerance in Education Materials in Saudi Arabia and Around the World

Given that official Saudi school textbooks have in the past included language encouraging violence that adversely affects the interests of the United States and that the Saudi government, despite repeated requests over a period of several years, has failed to make its current textbooks available to support its claims that such language has been eliminated, and also given that the Saudi Embassy’s relationship with the Islamic Saudi Academy (ISA) appears to violate the Foreign Missions

Act, the U.S. Commission on International Religious Freedom recommends that:

- (1) the Secretary of State should immediately begin diplomatic discussions with the Saudi government with the goals of:
 - (a) having the Saudi government close the ISA until such time as the official Saudi textbooks used at the ISA are made available for comprehensive public examination in the United States; and
 - (b) ensuring a verifiable prohibition of any scheme(s) aimed at continuing Saudi government funding to the ISA through other indirect means;
- (2) the Secretary of State should conclude these discussions within 90 days and, while the discussions are ongoing, the Secretary should also be preparing to take action under the Foreign Missions Act, should such action become necessary;
- (3) at the conclusion of the 90 day period, the Secretary should report to Congress on the results of the discussions:
 - (a) if the Secretary has succeeded in securing the release of the textbooks used at the ISA, those textbooks should be thoroughly examined and, if they are determined to contain language encouraging violence, then the U.S. government should take appropriate action under applicable U.S. laws, including the Foreign Missions Act; and
 - (b) alternatively, if, at the conclusion of the 90 day period, the Secretary has failed to secure the release of the

textbooks, then the Secretary should immediately commence action under the Foreign Missions Act to close the ISA on the ground that the non-diplomatic activities of the ISA cannot be conducted by and through an embassy, and because significant concerns remain about whether what is being taught at the ISA promotes religious intolerance and may adversely affect the interests of the United States.

In addition, the U.S. government should:

- request that the Saudi government:
 - make publicly available the educational texts, curricula, and teacher training manuals used in state primary and secondary schools inside the country;
 - provide an accounting of what kinds of Saudi official 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;
 - make public the content of educational and other materials sent abroad to demonstrate whether such activities promote hatred, intolerance, or justify or encourage other human rights violations;
 - establish a transparent public effort to monitor, regulate, and report publicly about the activities of Saudi charitable organizations based outside Saudi Arabia in countries throughout the world;
 - cease granting diplomatic status

to Islamic clerics and educators teaching outside Saudi Arabia; and

- ensure that Islamic affairs sections in Saudi embassies throughout the world remained closed indefinitely in accordance with past promises;
- report publicly to Congress on all the above areas as part of the reporting on progress of Saudi government implementation of the July 2006 confirmation of policies, referred to in the recommendation above; and
- communicate and share information with other concerned governments about the July 2006 policies related to Saudi exportation of hate literature and extremist ideology.

3 Press for Immediate Improvements in Other Areas Related to Freedom of Religion or Belief

The U.S. government should continue to advance adherence to international human rights standards, including the freedom of everyone to “manifest his religion or belief in worship, observance, practice and teaching” and prohibit coercion in matters of religion or belief. Saudi government persistence in severely restricting all forms of public religious expression other than the government’s interpretation and enforcement of its version of Sunni Islam is a violation of the freedom of thought, conscience, and religion or belief. As initial steps, the U.S. government should press for immediate improvements in respect for religious freedom, including by urging the Saudi government to:

- establish genuine safeguards for the freedom to worship privately;
- end state prosecution of individuals charged with apostasy, blasphemy, sorcery, and criticism of the government;
- dissolve the Commission to Promote Virtue and Prevent Vice (CPVPV) and entrust law enforcement to professionals in law enforcement agencies with a precise jurisdiction and subject to judicial review and immediately ensure that members of the CPVPV are held accountable and prosecuted for abuses; conduct prompt and independent investigations into reported abuses; ensure complainants all universal due process and other rights, including the right to challenge the lawfulness of his/her detention and be released if it is not lawful; and provide the right to a remedy, including an enforceable right to compensation;
- allow clergy to enter the country to carry out private worship services;
- review cases and release those who have been detained or imprisoned for violations of human rights including their religious belief or practices;
- permit independent non-governmental organizations to monitor, promote, and protect human rights;
- invite the UN Special Rapporteur on Freedom of Religion or Belief to conduct a visit to Saudi Arabia in accordance with the standard terms for such UN visit;
- ratify international human rights instruments, including the International Covenant on Civil and Political Rights, and cooperating with UN human rights mechanisms;
- urge the Saudi government to implement the recommendations made in Section II above (Address Exportation of Extremist Ideology and Intolerance in Education Materials in Saudi Arabia and Around the World).

DELEGATION TO SAUDI ARABIA

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- Preeta D. Bansal
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END NOTES continued

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²⁴ P.K. Abdul Ghafour, "Education System Undergoing Major Overhaul," Arab News, April 17, 2007 (<http://www.arabnews.com/?page=1§ion=0&article=95083&d=17&m=4&y=2007>).

²⁵ It should be noted that during its visit, the Commission delegation had very limited access to non-Muslim expatriate workers from non-Western countries.

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²⁷ Mariam Al Hakeem, "Case Against Saudi Religious Police Adjourned," Gulf News, September 4, 2007 (<http://archive.gulfnews.com/articles/07/09/04/10151174.html>).

²⁸ Faiza Saleh Ambah, "An Unprecedented Provar Over Saudi Religious Police," The Washington Post, June 22, 2007, A14.

²⁹ The Commission obtained from the U.S. Embassy in Riyadh a provisional translation into English of the original NSHR May 2007 report in Arabic.

³⁰ Roula Khalaf and Andrew England, "Saudi Religious Police Face Pressure," Financial Times, June 5, 2007.

³¹ See Human Rights Watch, "Saudi Arabia: Hold Religious Police Accountable for Killing," July 25, 2007 (<http://hrw.org/english/docs/2007/07/25/saudia16476.htm>); and Raid Qusti, "Commission Cleared in Huraisi Death," Arab News, June 26, 2007 (<http://www.arabnews.com/?page=1§ion=0&article=94954&d=26&m=6&y=2007>).

³² Abdullah Shiri, "Charges Dropped Against Saudi Police," Associated Press, July 31, 2007 (<http://www.washingtonpost.com/wp-dyn/content/article/2007/07/31/AR2007073101044.html>).

³³ See Ashraf Al-Awsat, "Saudi Interior Ministry Issues Warning Against Commission," July 15, 2007 (<http://aawsat.com/english/news.asp?section=1&id=9580>) and Raid Qusti, "Govt Cautions Commission Members," July 15, 2007 (<http://www.arabnews.com/?page=1§ion=0&article=98507&d=15&m=7&y=2007>).

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³⁵ The Commission delegation obtained from the Human Rights Commission a copy of their Statute, Saudi Council of Ministers Decision No. 207, dated September 12, 2005. See article I of the Statute.

³⁶ Raid Qusti, "Awareness Drive to Promote Human Rights Set," Arab News, July 11, 2007 (<http://www.arabnews.com/?page=1§ion=0&article=98370&d=11&m=7&y=2007>).

³⁷ Raid Qusti, "Rights Group to Study Claims of Sectarian Prejudices in Society," Arab News, June 3, 2007 (<http://www.arabnews.com/?page=1§ion=0&article=96997&d=3&m=6&y=2007>).

³⁸ See chapter III, Section I, Paragraph I, of the National Society for Human Rights May 2007 report.

