

## SAUDI ARABIA

### EXECUTIVE SUMMARY

The Kingdom of Saudi Arabia is a monarchy ruled by King Abdullah bin Abdulaziz Al Saud, who is both head of state and head of government. The government bases its legitimacy on its interpretation of Sharia (Islamic law) and the 1992 Basic Law, which specifies that the rulers of the country shall be male descendants of the founder King Abdulaziz bin Abdulrahman Al Saud. The Basic Law sets out the system of governance, rights of citizens, and powers and duties of the government, and it provides that the Qur'an and the Traditions (Sunna) of the Prophet Muhammad serve as the country's constitution. On September 29, the country held elections on a nonparty basis for half of the 1,632 seats on the 285 municipal councils around the country. Women were not permitted to be candidates or to vote. Security forces reported to civilian authorities.

The most important human rights problems reported included citizens' lack of the right and legal means to change their government; pervasive restrictions on universal rights such as freedom of expression, including on the Internet, and freedom of assembly, association, movement, and religion; and a lack of equal rights for women and children, as well as for workers.

Other human rights problems reported included torture and other abuses, poor prison and detention center conditions, holding political prisoners and detainees, denial of due process and arbitrary arrest and detention, and arbitrary interference with privacy, home, and correspondence. Violence against women, trafficking in persons, and discrimination on the basis of gender, religion, sect, race, and ethnicity were common. Lack of governmental transparency and access made it difficult to assess the magnitude of many reported human rights problems.

The government prosecuted and punished a limited number of officials who committed abuses, particularly those engaged in or complicit with corruption. There were reports that some members of the security forces and other senior officials, including those linked to the royal family, committed abuses with impunity.

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

#### **a. Arbitrary or Unlawful Deprivation of Life**

The government or its agents were not known to have committed politically motivated killings during the year. However, closed court proceedings in capital cases made it impossible to determine whether the accused were allowed to present a defense or were granted basic due process, and there were reports that security forces in clashes with sometimes-armed demonstrators killed persons during demonstrations (see section 2.b.).

For example, in one of the reported 79 executions during the year, Amina bint Abdulhalim Nassir, a 60-year-old woman, was beheaded on December 12 in the northern province of Al-Jouf reportedly after her conviction of criminal charges of practicing “witchcraft and sorcery.” Absent a penal code, there is no precise legal definition of witchcraft, magic, or sorcery. According to press reports, she was arrested in 2009 and following an investigation was tried by a first-instance court, which found her guilty of practicing magic and sorcery and sentenced her to death. The case was reviewed by the Court of Appeal and the Supreme Judicial Council, which both upheld the conviction, and the sentence was carried out by royal order.

In contrast with 2010, there were no reports that government forces killed civilians in cross-border operations in Yemen.

### **b. Disappearance**

The government reportedly arrested and detained persons during the year, refusing for extended periods in some cases to acknowledge the detention or to provide information about an individual’s whereabouts. However, there were no reports of politically motivated disappearances during the year.

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

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

suspects; however, due to lack of government transparency, it was not possible to ascertain the accuracy of these reports. There was no available information on the number of cases of abuse and corporal punishment.

For example, on July 27, security officials reportedly took a prominent human rights activist, Mekhlef bin Daham al-Shammary, from his prison cell at the Damman General Prison to a room where there were no surveillance cameras and severely beat him. A guard then allegedly poured an antiseptic cleaning liquid down al-Shammary's throat, resulting in his being taken to a hospital (see section 1.e.).

There were reports that at least two of a group of 16 men found guilty of security-related offenses were tortured in the period between their arrest in 2007 and their conviction on November 22. Among them, according to the nongovernmental organization (NGO) Amnesty International (AI), was Suliman al-Reshoudi, a 73-year-old former judge, who was subjected in prison to "severe physical and psychological tortures," including more than three years of solitary confinement. One of the detainees was allegedly beaten on at least seven occasions with metal sticks and received electric shocks. Saud al-Hashimi was reportedly abused by being placed for five hours in a severely cold cell and forced to confess, among other acts, to contacting Al-Jazeera television station and to collecting money without the permission of the ruler (see section 5).

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), a semiautonomous agency commonly known as the religious police, has the authority to monitor social behavior and enforce morality.

On May 21, the *Saudi Gazette* reported the death of a Jordanian man following an alleged car chase by the religious police. After stopping him, they reportedly detained the man and forcibly cut his hair. He was later hospitalized with head injuries and subsequently died. The Ministry of Interior reportedly investigated the incident, but no further information was available.

The courts used corporal punishment as a judicial penalty. On December 23, the right hand of a Nigerian citizen was amputated after he was found guilty of theft and his appeals exhausted. According to a December 16 Human Rights Watch (HRW) letter to the HRC chairman, a Riyadh general court sentenced four Iraqis and two Syrians to the amputation of the left foot and right hand each for armed robbery of four million riyals (approximately \$1 million) from a supermarket. One

of the Iraqis alleged severe physical mistreatment amounting to torture for eight days until he signed, unread, a prepared confession.

In contrast to 2010, there were no reports of rape or other sexual abuses during arrest and detention, according to the unlicensed NGO Human Rights First Society (HRFS).

### **Prison and Detention Center Conditions**

Prison and detention center conditions varied, and some did not meet international standards. No independent human rights observers visited prisons or detention centers during the year, but the government permitted domestic organizations, such as the NGO National Society for Human Rights (NSHR), which is supported by a trust funded by the estate of the late King Fahd, and the governmental HRC, to perform some monitoring of prison conditions. In its annual report, the NSHR registered 409 cases in 2010 involving prisoners who complained about conditions, compared with 682 cases in 2009. The NSHR monitored health care in prisons and brought deficiencies to the attention of the Ministry of Interior, which administers prisons and detention centers.

Overcrowding in prisons was a problem. After visiting 16 jails across the kingdom, the NSHR published a report in February stating “most jails are operating at double their capacities, something that denies inmates many of their basic rights.” The report also noted a number of other problems in prisons and detention centers, the worst being the women’s section of the Deportation and Detention Center in Jeddah. Violations listed in the report included a shortage of and improperly trained wardens, lack of access to prompt medical treatment when requested, holding prisoners beyond the end of their sentences, and not informing prisoners of their rights.

The director general of prisons announced in October that there were 49,000 male and female prisoners and detainees in the kingdom. Information on the maximum number of prisoners and detainees the facilities were meant to hold was not available.

Pretrial detainees were held together with convicted prisoners. Persons suspected or convicted of terrorism offenses were separated from the general population, according to diplomatic sources, but held in similar facilities. The government permitted relatives and friends to visit some persons detained for terrorist activities, but security prisoners and some other prisoners did not have reasonable

access to visitors. Detainees and prisoners were permitted to perform religious observances. There was no information available whether prisoners were able to submit complaints to judicial authorities without censorship or whether credible allegations of inhumane conditions and treatment were investigated and made public.

#### **d. Arbitrary Arrest or Detention**

The law provides that no entity may restrict a person's actions or imprison him, except under provisions of the law. Nonetheless, because of the government's ambiguous implementation of the law and a lack of due process, the Ministry of Interior, to which the majority of forces with arrest power report, maintained broad powers to arrest and detain persons indefinitely without judicial oversight or effective access to legal counsel or family. In practice authorities held persons for weeks, months, and sometimes years and reportedly failed to promptly advise them of their rights, including their right to be represented by an attorney. According to an April 20 HRW report, authorities arrested more than 160 demonstrators in the Eastern Province in the preceding three-month period. At year's end, of an estimated 350 demonstrators arrested during the year in the Eastern Province, approximately 70 remained incarcerated.

#### **Role of the Police and Security Apparatus**

The king, interior minister, defense minister, and Saudi Arabian National Guard commander all have responsibility in law and in practice for law enforcement and maintenance of order. The Ministry of Interior exercised primary control over all internal security and police forces, except the General Intelligence Presidency, the government's primary external intelligence agency that reports directly to the king and maintains its own forces. The civil police and the internal security police are authorized to arrest and detain individuals. The semiautonomous CPVPV, which monitors public behavior to enforce strict adherence to the official interpretation of Islamic norms, reports to the king via the Royal Diwan (royal court) and to the Ministry of Interior. The members of the religious police are required to carry official identification and have a police officer accompany them at the time of an arrest, although compliance was sporadic.

Security forces were generally effective at maintaining law and order. The Board of Grievances (Diwan Al-Mazalim), a high-level administrative judicial body that specializes in cases against government entities and reports directly to the king, is the only formal mechanism available to seek redress for claims of abuse. Citizens

may report abuses by security forces at any police station, to the HRC, or to the NSHR. The HRC and the NSHR maintained records of complaints and outcomes, but privacy laws protected information about individual cases, and information was not publicly available. During the year there were no reported prosecutions of security forces for human rights violations, but the Board of Grievances held hearings and adjudicated claims of wrongdoing. The HRC in cooperation with the Ministry of Education provided materials and training to police, security forces, and the religious police on protecting human rights.

The Bureau of Investigation and Prosecution (BIP) and the Control and Investigation Board (CIB) are the two units of the government with authority to investigate reports of wrongdoing. On November 28, the Council of Ministers formally approved changes to the responsibilities for the Bureau of Investigation and Prosecution, the Control and Investigation Board, and the General Auditing Bureau (GAB). The investigation and prosecution powers of the CIB were transferred to the BIP; however, the CIB continued to be responsible for the investigation and prosecution of financial cases. All financial audit and control functions were limited to the GAB.

### **Arrest Procedures and Treatment While in Detention**

According to the 1992 Basic Law, “no person shall be arrested, searched, detained, or imprisoned except in cases provided by law, and any accused person shall have the right to seek the assistance of a lawyer or a representative to defend him during the investigation and trial stages.” Authorities may summon any person for investigation, and an arrest warrant may be issued based on evidence, but in practice warrants frequently were not used and they were not required in cases where probable cause existed. There was a functioning bail system for less serious criminal charges. The law does not specify a time frame for access to a lawyer. The practice is for the state to provide a lawyer for indigents. There were no established procedures providing detainees the right to contact family members following arrest. The law requires charges be filed within 72 hours of arrest and requires a trial within six months. Reportedly, authorities frequently failed to observe these legal protections and there was no requirement to advise suspects of their rights. In practice no judicial proceedings began until a full investigation was completed by authorities, which in some cases took years.

Incommunicado detention was sometimes a problem. Frequently, security and some other prisoners were held for long periods before family members or associates were notified of their whereabouts.

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

Pretrial Detention: Lengthy pretrial detention was a problem. The NGO Saudi Civil and Political Rights Association (ACPRA) challenged the Ministry of Interior in court on cases considered to involve arbitrary arrest or detention; however, the ACPRA claimed the ministry ignored judges' rulings, and judges appeared powerless to take action against it. There was no available information on the percentage of the prison/detainee population in pretrial detention or the average length of time held.

On April 2, the Ministry of Interior's Bureau of Investigation and Prosecution released statistics accounting for those detained for suspicion of terrorism since 2001. The data suggested that roughly half of the 11,527 persons arrested had been released. Of those not released, 2,215 had been referred to "the competent criminal courts," with 1,612 convicted by April 2 and the remaining still being tried. There were 1,931 detainees nearing transfer to court as investigations were being finalized; 934 detainees were still being held pending final charges; and another 616 were "still pending trial," although it was not clear what that meant. The Ministry of Interior also reportedly paid compensation of 32 million riyals (\$8.5 million) to 486 detainees for being held longer in detention than their jail sentences and provided 529 million riyals (\$141 million) in monthly assistance to the families of suspects.

Amnesty: The king continued the tradition of sometimes tempering judicial punishments. The details of the cases varied, but the demonstration of royal pardons sometimes included reducing or eliminating corporal punishment, for example, rather than wiping the slate clean. However, the remaining sentence could be added to a new sentence if the pardoned prisoner committed a crime subsequent to his release. There were pardons or grants of amnesty on special occasions throughout the year. The Saudi Press Agency reported 1,543 prisoners were pardoned and released during the year. In addition, the agency reported 325 Indonesian prisoners of a reported total of 1,719 in jail on various charges were pardoned and released during the year.

#### **e. Denial of Fair Public Trial**

The law provides that judges are independent and are subject to no authority other than the provisions of Sharia and laws in force. In practice the judiciary was not independent as it was required to cooperate with executive authorities with the king as arbiter. Although allegations of interference with judicial independence were uncommon, the judiciary was reportedly subject to influence. There were no reports during the year of courts exercising jurisdiction over senior members of the royal family. There were alleged problems enforcing court orders, particularly against the Ministry of Interior.

### **Trial Procedures**

The law states that defendants should be treated equally in accordance with Sharia. In the absence of a penal code, Sharia as interpreted in the country is the basis of the penal system. The Council of Senior Religious Scholars (Ulema), an autonomous advisory body, has the authority to determine how judges should interpret Sharia.

Sharia is not based on precedent in all cases; this, combined with the lack of a penal code, means that rulings and sentences can diverge widely. Judges may base their decisions on any of the four Sunni schools of jurisprudence. Shia citizens use their own legal traditions to adjudicate intra-Shia family law cases.

The law states that court hearings shall be public; courts may be closed at the judge's discretion, and many trials during the year were closed. According to the Ministry of Justice, a trial may be closed depending on the sensitivity of the case to national security, the reputation of the defendant, or the safety of witnesses. On May 16, the government opened the first public trials for terrorism for 11 suspects accused of participating in a 2004 attack. During the year the government opened similar trials of suspected terrorists to observers from the HRC, the media, and the public; however, observers required advance approval from the Ministry of Interior.

According to the law, there is neither presumption of innocence nor trial by jury. The law provides defendants the right to be present at trial and to consult with an attorney during the investigation and trial. According to the HRC, at the government's discretion, an attorney may be provided to indigents at public expense. Defendants also have the right to confront or question witnesses against them and call witnesses in their behalf. However, the court presents the witnesses. The law provides that an investigator appointed by the Bureau for Investigation and Prosecution questions the witnesses called by the litigants before the initiation

of a trial and may hear testimony of additional witnesses he deems necessary to determine the facts. There is no right to access government-held evidence. Defendants may request to review evidence, and the court decides whether to grant the request. The court must inform convicted persons of their right to appeal rulings.

Sharia as interpreted by the government extends these provisions to all citizens and noncitizens; however, the law and practice discriminate against women (see section 6), nonpracticing Sunni, Shia, and persons of other religions. For example, judges may discount the testimony of nonpracticing Sunni Muslims, Shia Muslims, or persons of other religions; sources reported that judges sometimes completely ignored testimony by Shia.

Among many reports of irregularities in trial procedures was the case of Mohammed Saleh al-Bajady, a businessman and cofounder of ACPRA, whom police arrested the day after his March 20 participation in a protest outside the Ministry of Interior in Riyadh. According to a December 1 AI report, he was apparently charged with forming the ACPRA, harming the reputation of the state, and having banned books in his possession. His lawyers reportedly did not have access to him or his trial in the Specialized Criminal Court, which, according to a report of a telephone call to his wife, began in August. He remained in prison in Riyadh at year's end.

In August the Royal Diwan forwarded the case of Rizana Nafeek to the Riyadh Provincial Reconciliation Committee to negotiate a settlement between Nafeek, a Sri Lankan domestic worker, and the parents of an infant she was convicted of having killed. In September 2010 the High Court rejected an appeal in Nafeek's case; she had no legal representation at her initial trial in 2007, and an initial appeal hearing revealed that her interpreter may not have been qualified.

### **Political Prisoners and Detainees**

The number of political prisoners or detainees who reportedly remained in prolonged detention without charge could not be reliably ascertained. However, the HRC reported the number of inmates held on terrorism-related charges was 4,662 as of December 25. In many cases it was impossible to determine the legal basis for incarceration and whether the detention complied with international human rights norms and standards. Those who remained imprisoned after trial were often convicted of terrorism-related crimes, and there was not sufficient

public information about such alleged crimes to make a judgment about whether they had a credible claim to be political prisoners.

The government asserted that secret detentions were part of its efforts to combat terrorism. International NGOs, AI in particular, criticized the government for abusing its antiterrorism prerogatives to arrest some members of the political opposition. Security detainees were not given the same protections as other prisoners or detainees. High-profile prisoners generally were well treated. Certain prisoners, held on terrorism related charges, were given the option to participate in rehabilitation programs. Authorities sometimes restricted legal access to detainees (see section 1.d.); no international humanitarian organizations had access to them.

For example, on August 8, officials revealed that authorities arrested prominent Shia cleric Sheikh Tawfiq al-Amer on August 3; he remained in detention at year's end, allegedly for "inciting public opinion." Authorities reportedly allowed al-Amer's relatives to visit him in detention. Sheikh al-Amer was detained multiple times over the past several years, such as his February 27 detention for 10 days after he received wide attention for preaching a sermon calling for political reforms and the establishment of a constitutional monarchy.

On February 20, authorities released three Shia activists detained without charge. Munir al-Jassas, a well-known blogger, was arrested in 2009 after criticizing anti-Shia discrimination; Muhammad Al Libad and Ramzi Jamal were arrested in January 2010 after organizing protests against anti-Shia discrimination.

### **Civil Judicial Procedures and Remedies**

Complainants claiming human rights violations generally sought assistance from the HRC or NSHR, which either advocated on their behalf or provided courts with opinions on their cases. The HRC was generally responsive to complaints; domestic violence cases were the most common. However, individuals or organizations may also pursue claims for damages or seek government action to end human rights violations from the Board of Grievances.

Human rights activist (imprisoned without charge since June 2010) Mekhlef bin Daham al-Shammary filed a complaint against the government and demanded material and moral compensation for suffering when imprisoned for more than four months in 2007. Al-Shammary was arrested for repeatedly holding unauthorized political meetings.

On June 9, the Board of Grievances ruled that human rights activist and student Thamer Abdulkareem al-Kather was being held arbitrarily and should be released, but the Ministry of Interior appealed the verdict. In March 2010 the ministry's security arm, the General Directorate of Investigation, arrested al-Kather without charge in Qassim and transferred him to a prison in Riyadh. Al-Kather had advocated for prisoners' rights and constitutional reform.

In August the Board of Grievances ordered Jeddah police to pay 152,700 riyals (\$41,000) to a man detained for almost three years without trial. The police reportedly had forgotten about him and his case.

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

The government used the considerable latitude provided by the law to monitor activities legally and intervene where it deemed necessary. The government strictly monitored politically related activities and took punitive actions, including arrest and detention, against persons who engaged in certain political activities, such as direct public criticism of some senior royals by name, forming a political party, or organizing a demonstration. There were reports from human rights activists of governmental monitoring or blocking of mobile telephone or Internet usage before planned demonstrations. The government did not respect the privacy of correspondence or communications. Customs officials reportedly routinely opened mail and shipments to search for contraband. In some areas Ministry of Interior informants allegedly reported "seditious ideas," "antigovernment activity," or "behavior contrary to Islam" in their neighborhoods.

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

#### **a. Freedom of Speech and Press**

##### **Status of Freedom of Speech and Press**

The government codified and clarified severe restrictions on freedoms of speech, press and the Internet during the year. Government-friendly ownership in print or broadcast media led to self-censorship, and there was relatively little need for overt government action to restrict freedom of expression. However, the government could not rely on self-censoring in the dispersed social media and Internet world. Accordingly, to control information, it monitored and sporadically blocked certain Internet sites. On a number of occasions, government officials and senior clerics publicly warned against inaccurate reports on the Internet and reminded the public

that criticism of the government and its officials should be done through available private channels.

Freedom of Speech: The government monitors public expressions of opinion and took advantage of legal controls to impede the free expression of opinion and restrict those verging on the political sphere. Public employees are prohibited from directly or indirectly engaging in dialogue with local or foreign media or participating in any meetings intended to oppose state policies. The law forbids apostasy and blasphemy.

Internet activists (one Facebook group claimed 26,000 adherents) urged people to demonstrate in favor of political and economic reforms, particularly on March 11. In the face of warnings from religious and government leaders and a strong security presence, a single religion teacher came to demonstrate. Police arrested him immediately after he spoke to the BBC and other reporters about the need to “to speak freely” and have “freedom” and “democracy.” He remained in detention at year’s end.

On September 10, a court in Jeddah brought charges against Waleed Abu al-Khair, a human rights lawyer and supervisor of the Facebook group “Saudi Human Rights Monitor,” for various expressions of political opinion. The multiple charges ranged from “insulting the judiciary” and “asking for a constitutional monarchy” to “incitement of public opinion against the public order of the country,” according to HRW. In February Abu al-Khair had signed two petitions calling for political reform presented to King Abdullah. At year’s end he was not in custody and no trial date was set, but he had been restricted from travel outside the country.

Freedom of Press: The Press and Publications Law, extending explicitly to Internet communications, governs printed materials; printing presses; bookstores; import, rent, and sale of films; television and radio; and foreign media offices and their correspondents. On April 29, a royal decree amended the Press and Publications Law to stiffen penalties further and created a special commission to judge violations. The amendments ban publishing anything “contradicting Sharia; inciting disruption; serving foreign interests that contradict national interests; and damaging the reputation of the Grand Mufti, members of the Council of Senior Religious Scholars, or senior government officials.” The Ministry of Culture and Information may permanently close “whenever necessary” any means of communication--defined as any means of expressing any viewpoint that is meant for circulation--that it deems is engaged in a prohibited activity as set forth in the

April 29 royal decree. Print and broadcast media, already self-censored, did not appear to have been demonstrably affected by the new April restrictions.

The government owned most print and broadcast media and book publication facilities in the country, and members of the royal family owned or influenced those that were privately owned and nominally independent, including various media outlets and widely circulated pan-Arab newspapers such as *Ash-Sharq Al-Awsat* and *Al-Hayat*. The government owned, operated, and censored most domestic television and radio outlets.

Satellite television dish usage was widespread. Although satellite dishes technically were illegal, the government did not enforce restrictions on satellite dishes. Access to foreign sources of information, including the Internet, was common. Privately owned satellite television networks headquartered outside the country maintained local offices and operated under a system of self-censorship. Many other foreign satellite stations broadcast a wide range of programs into the country, in English and Arabic, including foreign news channels such as CNN, Fox, BBC, Sky, and Al-Jazeera. Foreign media are subject to licensing requirements from the Ministry of Culture and Information and cannot operate freely.

The Ministry of Culture and Information must approve the appointment of all senior editors and has the authority to remove them. The government provides guidelines to newspapers regarding controversial issues. A 1982 media policy statement urges journalists to uphold Islam, oppose atheism, promote Arab interests, and preserve cultural heritage. The governmental Saudi Press Agency reports official government news.

All newspapers in the country must be licensed by the government. Media outlets can legally be banned or publication temporarily halted if the government assesses that they violate the Press and Publications Law.

Censorship or Content Restrictions: The government reportedly penalized those who published items counter to government guidelines and directly or indirectly censored the media by licensing domestic media and by controlling importation of foreign printed material. Authorities prevented or delayed the distribution of foreign print media, effectively censoring these publications.

On September 19, Fahad al-Aqran, the editor in chief of *Al-Madina*, and Abdulaziz al-Sowaid, a columnist for *Al-Madina*, were fired and referred to the Ministry of

Culture and Information's review board after the columnist wrote an article with controversial interpretations of theological issues.

The Consultative Council (Majlis as-Shura), an advisory body, frequently allowed print and broadcast media to observe its proceedings and meetings, but the council closed high-profile or controversial sessions to the media. In some cases individuals criticized specific government bodies or actions publicly without repercussions. In the most prominent instance during the year, they did so only after the king was critical of the poor response of authorities after the January floods in Jeddah, which resulted in numerous deaths.

### **Internet Freedom**

The 2001 Press and Publications Law already implicitly covered the electronic media, since it extended to any means of expression of a viewpoint meant for circulation, ranging from words to cartoons, photographs, and sounds. In March the government issued "Implementing Regulations of Electronic Publishing" setting out rules for Internet-based and other electronic media, including chat rooms, personal blogs, and text messages.

The law criminalizes the publication or downloading of offensive sites. The Communications and Information Technology Commission (CITC) filtered and blocked access to Web sites it deemed offensive, and there were credible reports that it monitored e-mail and Internet chat rooms. The law restricted the ability of individuals and groups to engage in the expression of views via the Internet, including by e-mail.

All Web sites registered and hosted in the country must be authorized by agencies of the Ministry of Culture and Information. The CITC dealt with requests to block adult content and coordinated decisions with the Saudi Arabian Monetary Authority on phishing sites seeking to obtain confidential personal or financial information. All other requests to block sites were submitted to an interagency committee, chaired by the Ministry of Interior, for a decision to block a site or not. In addition to designating unacceptable sites, the CITC accepted requests from citizens to block or unblock sites. According to the CITC's general manager, authorities received an average of 3,000 requests daily to block and unblock sites. According to the NGO Reporters Without Borders, authorities claimed to have blocked approximately 400,000 Web sites.

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

Laws criminalize defamation on the Internet, hacking, unauthorized access to government Web sites, and stealing information related to national security, as well as the creation or dissemination of a Web site for a terrorist organization. The government reportedly collected personally identifiable information concerning the identity of persons peacefully expressing political, religious, or ideological opinions or beliefs.

On February 15, the Ministry of Interior released Muhammad Abdullah al-Abdulkareem, a professor of law at Imam Muhammad bin Saud Islamic University, after having arrested him in December 2010 for posting an article describing political factions in the royal family on his Facebook page.

### **Academic Freedom and Cultural Events**

Academics reportedly practiced self-censorship. The government censored public artistic expression, prohibited cinemas, and restricted public musical or theatrical performances apart from those considered folkloric and special events approved by the government. For example, on October 16, police arrested student and filmmaker Firas Buqna for producing a Web video on poverty in Riyadh. The episode followed previous shows on youth and police corruption. The online video was viewed more than a million times in the first three weeks after the arrest. Authorities released Buqna without charge on October 31.

### **b. Freedom of Peaceful Assembly and Association**

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

#### **Freedom of Assembly**

The law requires a government permit for an organized public assembly of any type, and it was a crime to participate in political protests or unauthorized public assemblies. In contrast to prior years, security forces allowed several small unauthorized, nonpolitical demonstrations around the country during the year despite a March 5 Interior Ministry statement that demonstrations were banned and

that it would take “all necessary measures” against those seeking to “disrupt order.” On March 6, the Council of Senior Religious Scholars reinforced the government’s stance, stating “demonstrations are prohibited in this country” and explaining that “the correct way in Sharia of realizing common interests is by advising.”

In the Eastern Province city of Qatif, the scene of demonstrations throughout the year, there were instances of some violent clashes between demonstrators and police. On October 3, 11 policemen and at least three civilians reportedly were wounded by gunfire. Between November 20 and 23, four demonstrators died following clashes between demonstrators and security forces. YouTube displayed videos purporting to portray residents, largely Shia, protesting alleged systematic discrimination, incitement against them, and neglect in public investment while showing antiroyal slogans written on walls. In other regions government authorities reportedly arrested nonviolent demonstrators and detained them briefly.

Women were not allowed to gather in public with unrelated men.

### **Freedom of Association**

The law does not provide for freedom of association, and the government strictly limited this right in practice. The government prohibited the establishment of political parties or any group it considered as opposing or challenging the regime. All associations must be licensed by the Ministry of Social Affairs and comply with its regulations. Groups that hoped to change some element of the social or political order reported that their licensing requests went unanswered. The ministry reportedly used arbitrary means, such as requiring unreasonable types and quantities of information, to effectively deny associations licenses.

A request for recognition of the Islamic Nation Party (Hizb al-Umma al-Islam) as a political party resulted in the arrest on February 16 of seven of its nine founders. According to HRW’s citation of the request, they appeared to have been detained solely for trying to create a party whose professed aims included “supporting the peaceful reform movement” (see section 3).

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

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt](http://www.state.gov/j/drl/irf/rpt).

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

The law does not contain provisions for freedom of movement within the country, foreign travel, or emigration and repatriation. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

In-country Movement: Generally the government did not restrict the free movement of male citizens within the country or the right of citizens to change residence or workplace, provided they held a national identification card (NIC). The law requires all male citizens 15 years of age or older to hold an NIC. For women the NIC was optional, reflecting the different status of female citizens, and could be issued only if a woman's male guardian (grandfather, father, uncle, brother, husband, son, or nephew) consented in writing to its issuance or if she already held a valid passport, also issued only with a guardian's consent. The government prohibited women from driving motor vehicles; some women drove during the year in an effort to publicize a campaign to lift the ban. The guardianship system requires a woman to have the permission of her male guardian to work or move freely in the country (see section 6).

Foreign Travel: There are restrictions on foreign travel, including for women and members of minority groups. No one may leave the country without an exit visa and a passport. Women and minors (younger than age 21) require a male guardian's consent to have a passport and travel abroad. A noncitizen wife needs permission from her husband to travel unless both partners sign a prenuptial agreement permitting the noncitizen wife to travel without the husband's permission. Government entities and male family members can "blacklist" women and minor children, prohibiting their travel. In cases involving custody disputes, the male guardian is legally able to prevent even adult children from leaving the country.

Travel of foreign workers remained under the complete control of their employers or sponsors, who were responsible for processing residence permits and exit visas on their behalf. Sponsors often held their employees' passports, despite a law specifically prohibiting this practice.

The government continued to impose travel bans as part of criminal sentences. The government on occasion reportedly confiscated passports and revoked the rights of some citizens to travel for political reasons but often did not provide them with notification or opportunity to contest the restriction.

According to the ACPRA, authorities continued a travel ban on Fahad al-Orani, one of the cofounders of the ACPRA; Abdullah al-Hamed, a former professor and cofounder of the ACPRA; and Matrouk al-Faleh.

### **Protection of Refugees**

Access to Asylum: The law provides that the “state will grant political asylum if public interest so dictates.” The country has no law implementing this provision, and the UNHCR managed refugee and asylum matters. The government permitted UNHCR-recognized refugees to stay in the country temporarily pending identification of a durable solution. The government generally did not grant asylum or accept refugees for settlement from third countries. Government policy is not to grant refugee status to persons in the country illegally or who have overstayed a pilgrimage visa. The government strongly encouraged persons without residency to leave, and it threatened or imposed deportation. Access to naturalization was difficult for refugees. During the year the UNHCR registered more than 600 refugees and 95 asylum seekers.

Employment: Refugees and asylum seekers were unable to work legally.

Access to Basic Services: Access to health care, education, courts/judicial procedures, and social services is reserved for citizens. Refugees' only access to basic services is through the UNHCR. The UNHCR office in Riyadh provided subsistence allowance to a limited number of vulnerable families based on a needs assessment.

### **Stateless Persons**

The country has a significant number of habitual residents who are legally stateless, but data on the stateless population are incomplete and scarce, and the government was not open to discussing the matter.

Under the Nationality Law, citizenship is derived from the father, but several scenarios lead to statelessness of children: (1) a child born to an unmarried mother is not affiliated with the father legally, even if the father has recognized the child, and therefore is stateless; (2) when identification documents are withdrawn from a parent, the child also loses his or her identification and accompanying rights (possible when a naturalized parent denaturalizes voluntarily or loses citizenship through other acts); (3) children of a citizen mother and a noncitizen father are without nationality, unless they acquire citizenship from the father; and (4) children of a citizen father and a noncitizen mother are noncitizens, unless the government has authorized the marriage of the parents prior to birth. In addition when government authorities withdraw a citizen's national identification card, his or her children also lose their Saudi citizenship.

The UNHCR unofficially estimated there were approximately 70,000 stateless persons in the country, almost all of whom were native-born Arab residents known locally as Bidoon (an Arabic word that means "without"); there were also some Baloch and West Africans.

Bidoon are persons whose ancestors failed to obtain nationality, such as descendants of nomadic tribes not counted among the native tribes during the reign of the country's founder, King Abdulaziz; descendants of foreign-born fathers who arrived before there were laws regulating citizenship; and rural migrants whose parents failed to register their births. As noncitizens Bidoon were unable to obtain passports or travel abroad. The government denied them employment and educational opportunities, and their marginalized status made them among the poorest residents of the country. In recent years the Ministry of Education encouraged them to attend school. The government issued Bidoon five-year residency permits to facilitate their social integration in government-provided health care and other services, putting them on similar footing with sponsored foreign workers.

There were an estimated 240,000 Palestinians resident in the kingdom, who were not registered as refugees, as the mandate of the UN Refugee and Works Agency (UNRWA) to protect and assist Palestinian refugees is limited to the West Bank, Gaza, Lebanon, Syria, and Jordan

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

The law does not provide citizens the right to change their government peacefully and establishes the Al Saud family monarchy as the political system. The law provides citizens the right to communicate with public authorities on any matter, and the government is established on the principle of consultation (shura), requiring the king and senior officials to make themselves available by holding meetings (majlis), open-door events where in theory any male citizen or noncitizen may express an opinion or a grievance. Only a few members of the ruling family have a voice in the choice of leaders, the composition of the government, or changes to the political system. The Allegiance Commission, composed of 34 senior princes appointed by the king, is responsible for selecting a king and crown prince upon the death or incapacitation of either.

#### **Elections and Political Participation**

Recent Elections: On September 29, following a two-year postponement, the government held elections for the second time since 1963 for the country's 285 municipal councils; elected candidates filled half of the 1,632 seats while the king appointed the other half. As in the first elections in 2005, participation was limited to civilian male citizens at least 21 years old. According to the Municipal Council Elections Committee, there was no legal prohibition against women voting; however, as in 2005, the committee cited logistical and other technical reasons why women were not allowed to participate in the elections. More than 1,700 lawyers from the National Committee of Lawyers monitored the elections nationally, and the organization assessed that the elections were fair and transparent. The NSHR, however, refused to observe the elections, protesting women's ineligibility to vote or seek election. Candidates were not permitted to contest under party affiliation. On September 25, the king issued a royal decree permitting women to vote and run in future municipal council elections.

Political Parties: There were no political parties or similar associations. On February 16, one week after a group of nine individuals submitted a request for recognition of the Islamic Nation Party (Hizb al-Umma al-Islam) as a political party to the Royal Court and the Consultative Council, seven of the party's nine founders were arrested. A statement posted on the party's Web site on February 17 said that authorities arrested Ahmad bin Sa'd al-Ghamidi, Sa'ud al-Dughaitir, Sheikh Abd al-'Aziz al-Wuhaibi, Sheikh Muhammad bin Husain al-Qahtani, Muhammad bin Nasir al-Ghamidi, Walid al-Majid, and Abd al-Karim al-Khadhar.

According to the Web site, authorities demanded that they sign a legally binding promise to withdraw their names from the party's founding document. All members of the group signed such statements and were released except for al-Wuhaibi, who refused to do so and was sentenced to seven years in prison (see section 2.b.).

Participation of Women and Minorities: Societal discrimination based on widespread gender segregation excluded women from most aspects of public life, with the large-scale exclusion of women from formal decision making; however, women increasingly participated in political life, albeit with significantly less status than men. There were 12 female advisers to the 150-man royally appointed Consultative Council, which advises the king and can propose legislation. On September 25, the king issued a royal decree providing for women to be appointed to serve as full Consultative Council members at the beginning of the next term in 2013. There were no women on the High Court (women's ability to practice law is limited) or Supreme Judicial Council. There were two women in senior-level government positions, as deputy minister for women's education and deputy minister for women's higher education.

There are no laws that prevent minorities from participating in political life on the same basis as other citizens, but societal discrimination marginalized the Shia population. The Consultative Council included only five Shia members. There were no religious minorities in the cabinet. At year's end there were some Eastern Province Shia judges dealing with intra-Shia personal status and family laws.

#### **Section 4. Official Corruption and Government Transparency**

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials engaged in corrupt practices with impunity. There were reports of government corruption during the year, including a perception of corruption by some members of the royal family and the executive branch of the government.

There were very few high-level public investigations or prosecutions. Following flooding in Jeddah in January, the government launched investigations into allegations of widespread official corruption and malfeasance thought to have contributed to the resulting damage and loss of life in the 2011 floods. In a paper presented at a government performance seminar held in Riyadh in April, the General Audit Bureau reportedly noted that "what happened in Jeddah clearly illustrated the poor performance of government departments because of bribery

and widespread corruption.” The government charged a number of municipal officials with corruption as a result of the 2009 Jeddah floods, and at year’s end the trials continued with no convictions or acquittals.

Government employees who accept bribes face 10 years in prison or fines up to one million riyals (\$267,000). Public officials were not subject to financial disclosure laws. On March 18, King Abdullah issued a royal decree establishing a National Anti-Corruption Commission, responsible for promoting transparency and combating all forms of financial and administrative corruption; the commission’s ministerial-level director reported directly to the king and was charged with referring cases of corruption to the Control and Investigation Board and the Ministry of Interior’s Bureau of Investigation and Prosecution.

The law does not provide for and there is no right to public access to government information, such as ministerial budgets or allocations to members of the royal family.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

The law provides that “the State shall protect human rights in accordance with the Islamic Sharia”; however, the government restricted the activities of, while at times cooperating to varying degrees with, domestic and international human rights organizations in investigations of alleged violations of human rights.

The government often cooperated with and sometimes accepted the recommendations of the NSHR, the sole government-licensed domestic human rights organization. The NSHR, funded through a trust fund from a deceased member of the royal family, accepted requests for assistance and complaints about government actions affecting human rights.

The government viewed two active human rights groups, which the government failed to license, the HRFS and the ACPRA, with suspicion and claimed they were meddling in government affairs. At year’s end the government had not licensed the HRFS, whose founder, Ibrahim al-Mugaiteeb, applied for a license in 2002. The government continued to permit its informal operation, but since the group was formally “unlicensed” it remained unclear which activities the group could undertake without risking punishment, and even “permitted” activities could be criticized by the government. Without a license the group was unable to raise operating funds, which severely limited its activities. ACPRA applied for a license

in 2008, which was not granted; however, the government allowed its unlicensed operation.

A third, less active group, the National Saudi Committee of Human Rights, has tried unsuccessfully to register since 2003, according to HRW.

An abortive attempt to create a political organization, accompanied by a petition calling for political reform, preceded the 2007 arrests of nine men who, along with seven others, were held without formal charges until August 2010. On November 22, a court in Riyadh convicted the 16 men on a range of charges that included allegedly forming a secret organization, attempting to seize power, inciting discontent against the king, financing terrorism, and money laundering. The men received sentences that varied from 10 to 30 years and included travel bans and fines (see section 1.c.).

The government also viewed international human rights NGOs with suspicion. For example, AI's main Web site was blocked temporarily in late July after it criticized a draft antiterrorism law that it suggested would stifle peaceful protest in the kingdom. The HRC stated that the government welcomed the visits of legitimate, unbiased human rights groups, but added that the government could not act on the "hundreds of requests," in part because it was cumbersome to decide which domestic agency would be their interlocutor.

Government Human Rights Bodies: The government-funded HRC is effectively a part of the government. The HRC president has ministerial status and reports to the king. According to the NSHR's 2009 report, the HRC "met with weak collaboration on the part of some governmental bodies in spite of the issuance of royal directives." The adequately resourced HRC was considered effective in highlighting problems but had limited capacity to effect change. The HRC worked directly with the Royal Diwan and the Council of Ministers; with a committee composed of representatives of the Consultative Council and the Ministries of Labor, Social Affairs, and Interior; and with Consultative Council Committees for the Judiciary, Islamic Affairs, and Human Rights.

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

The law prohibits discrimination based on race but not gender, disability, language, or social status. The law and tradition discriminated on the basis of gender. The government generally reinforced Sharia-based traditional prohibitions on

discrimination on the basis of disability, language, or social status but did not effectively enforce laws prohibiting discrimination based on race.

## **Women**

Rape and Domestic Violence: Rape is a punishable criminal offense under Sharia with a wide range of penalties from flogging to execution. Generally the government enforced the law based on its interpretation of Sharia, and courts punished the victim for illegal “mixing of genders,” as well as the perpetrator. The government did not recognize spousal rape. Statistics on incidents of rape were not available, but press reports and observers indicated rape was a serious problem. The government did not maintain public records on prosecutions, convictions, or punishments. Most rape cases were unreported because victims faced possible societal reprisal, diminished marriage opportunities, criminal sanction up to imprisonment, or accusations of adultery.

There were no laws criminalizing violence specifically against women, and the law does not distinguish domestic violence within the general legal prohibition against violence. Researchers stated that violence against women may be seriously underreported, making it difficult to gauge the magnitude of the problem. Officials stated that the government did not clearly define domestic violence and that procedures concerning cases, and accordingly enforcement, varied from one government body to another. NSHR’s 2010 annual report noted that it investigated 282 cases of domestic violence and violations of women’s rights, compared with 257 such cases in 2009. Violence included a broad spectrum of abuse. The government made efforts to combat domestic violence, and the King Abdulaziz Center for National Dialogue held workshops and distributed educational materials on peaceful conflict resolution between spouses and in families.

The government supported family protection shelters. During the year the HRC fielded complaints of domestic abuse and referred these complaints to other government offices. The HRC’s women and children’s branches throughout the kingdom received 350 complaints from 71 women during the year; domestic violence and abuse accounted for most of the cases. The HRC advised complainants and offered legal assistance to some female litigants. The organization provided facilities for the children of women complainants and litigants and it distributed publications supporting women’s rights in education, health care, development, and the workplace.

Sexual Harassment: The extent of sexual harassment was difficult to measure with little media reporting and no government data. The government's interpretation of Sharia guides courts on cases of sexual harassment. Employers maintained separate male and female workspaces where feasible.

Reproductive Rights: There were no reports of government interference in couple's right to decide freely and responsibly the number, spacing, and timing of children. Statistics from the World Bank indicate that Saudi fertility rates steadily declined since 1980. Intrauterine devices were the most popular form of birth control in the country, and women, regardless of marital status, were legally able to obtain them. Birth control pills also were available to women in local pharmacies without prescriptions. Although no legal barriers prevented access to contraception, in practice many women were limited by constraints on mobility and economic resources. Information was not available regarding equal diagnosis and treatment of sexually transmitted infections.

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

The guardianship system requires that every woman have a close male relative as her "guardian" with the authority to approve her travel (see section 2.d.). A guardian also has authority to approve some types of business licenses and study at a university or college. Women can make their own determinations concerning hospital care. A husband who "verbally" (rather than via a court process) divorces his wife or refuses to sign final divorce papers continues to be her legal guardian.

Widespread societal exclusion restricted women from using many public facilities. When unrelated men are present, women must sit in separate, specially designated family sections. They are not allowed to consume food in restaurants that do not have such sections. Women risk arrest for riding in a vehicle driven by a male who is not an employee or a close male relative. Cultural norms enforced by state institutions require women to wear an abaya (a loose-fitting, full-length black cloak covering the entire body) in public and to conceal their hair. The religious

police also generally expected Muslim women to cover their faces and non-Muslim women from other Asian and African countries to comply more fully with local customs of dress than non-Muslim Western women. In rural areas and smaller cities, women adhered to the traditional dress code of covering the entire body, hands, feet, hair, and face.

Women also faced discrimination in courts, where the testimony of one man equals that of two women. In divorce proceedings women must demonstrate legally specified grounds for divorce, but men can divorce without giving cause. In doing so men are required to pay immediately an amount of money agreed upon at the time of the marriage that serves as a one-time alimony payment. Women who demonstrate legal grounds for divorce also are entitled to alimony.

Women faced discrimination under family law. For example, a woman needs her guardian's permission to marry. Courts awarded custody of children when they attained a specified age (seven years for boys and nine years for girls) to the divorced husband or the deceased husband's family. In numerous cases former husbands prevented divorced noncitizen women from visiting their children. Women are also discriminated against under inheritance laws, where daughters receive half the inheritance awarded to their brothers.

Women constituted more than 58 percent of university students; education through university level was generally segregated. The only other exceptions to segregation in higher education were medical schools at the undergraduate level and the King Abdullah University of Science and Technology, a graduate-level research university where women worked jointly with men, were not required to wear the veil, and drove cars on campus.

On July 11, the Ministry of Labor issued regulations requiring all women's garment stores to be staffed solely by women. The regulations also created guidelines for women to telework but banned women from 20 professions, mostly in heavy industry. On March 26, the Ministry of Justice announced plans to open 1,000 legal, administrative, social, and religious positions within the judiciary to women throughout the country; however, women could not work as judges or prosecutors. A 2010 report by the central bank estimated that 36,000 female citizens worked in the public sector and 48,000 worked in the private sector.

The law requires a woman to obtain the permission of a male guardian to work if the type of business is not "deemed appropriate for a woman." A woman cannot accept a job in a rural area unless she lodges with an adult male relative who

agrees to act as her guardian. Widespread gender segregation directly led to discrimination in employment. Despite gender segregation the law grants women the right to obtain business licenses, and women frequently obtained licenses in fields that might require them to supervise foreign workers, interact with male clients, or deal frequently with government officials. In medical settings and in the energy industry, women and men worked together, and in some instances women supervised male employees. Women who work in establishments with 50 or more female employees have the right to maternity leave and child care.

## **Children**

Birth Registration: Citizenship derives from the father, and only the father can register a birth. There were cases of citizen children denied public services, including education and health care, because the government failed to register the birth entirely or immediately.

Child Abuse: Abuse of children occurred, but information was sparse. In 2010 the NSHR registered 82 instances of violence against children, according to its annual report.

Child Marriage: Sharia does not specify a minimum age for marriage but suggests girls may marry after reaching puberty. According to some senior religious leaders, girls as young as age 10 may be married. Families sometimes arranged such marriages, principally in rural areas or often to settle family debts, without the consent of the child. The HRC and NSHR monitored cases of child marriages, which they reported were rare or, at least, rarely reported. The bride's age must be recorded in the application for a marriage license, and registration of the marriage is a legal prerequisite for consummation. The government reportedly instructed marriage registrars not to register marriages involving children.

Sexual Exploitation of Children: There is no specific law providing penalties relating to commercial sexual exploitation of children or child pornography and no minimum age for consensual sex. The law prohibits pornography.

International Child Abduction: The kingdom is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see

[http://travel.state.gov/abduction/country/country\\_3781.html](http://travel.state.gov/abduction/country/country_3781.html)

## **Anti-Semitism**

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

According to the Ministry of Islamic Affairs, no imams publicly espoused intolerant views warranting dismissal during the year; however, there continued to be unconfirmed reports that Sunni imams, who receive government stipends, used anti-Jewish, anti-Christian, and anti-Shia language in their sermons. During the year the ministry issued periodic circulars to clerics and imams in mosques directing them to include messages on the principles of justice, equality, and tolerance and to encourage rejection of bigotry and all forms of racial discrimination in their sermons.

The government's multiyear project to revise textbooks, curricula, and teaching methods to promote tolerance and remove content disparaging religions other than Islam began in 2007. The government mandated the removal of controversial terms from school textbooks and the substitution of such terms with the phrase from the Qur'an "There is no compulsion in religion." All elementary and middle school textbooks except for grades three and six had reportedly been revised by year's end. Nonetheless, for example, a 2010-11 seventh-grade text contained the sentence, "The nature of the Jews is duplicity, oath-breaking, and back-stabbing." Although textbook reviews and revisions continued at year's end, the revisions were insufficiently extensive to remove all language defaming non-Muslims and pronounced anti-Semitic perspectives.

Editorial cartoons occasionally exhibited anti-Semitism characterized by stereotypical images of Jews along with Jewish symbols, particularly at times of heightened political tension with Israel. Anti-Semitic editorial comments sometimes appeared in print and electronic media in response to regional events.

The King Abdulaziz Center for National Dialogue continued to promote dialogue, tolerance, and moderation. A mix of high-level government and religious officials openly supported the center's campaign against religious extremism and intolerant language, especially in mosques and schools.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

## **Persons with Disabilities**

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

Information about patterns of abuse of persons with disabilities in prisons and educational and mental health institutions was not available. The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities into the mainstream.

## **National/Racial/Ethnic Minorities**

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

There were numerous cases of assault against foreign workers and reports of widespread worker abuse. The Shia minority continued to suffer social, legal, economic, and political discrimination. To address the problem, the Ministries of Defense and Interior and the National Guard held antidiscrimination training courses in recent years for police and law enforcement officers. There were no reports of training during the year or of the success rate of these programs.

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

Under Sharia as interpreted in the country, same-sex sexual conduct is punishable by death or flogging. It is illegal for men “to behave like women” or to wear women’s clothes and vice versa. There were few reports of societal discrimination, physical violence, or harassment based on sexual orientation or gender identity, and there was no official discrimination based on sexual orientation or gender identity in employment, housing, statelessness, or access to

education or health care. Sexual orientation and gender identity could constitute the basis for harassment, blackmail, or other actions; however, no such cases were reported.

### **Other Societal Violence or Discrimination**

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

## **Section 7. Worker Rights**

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

The law does not provide for the right of workers to form and join independent unions. The law makes no provision for collective bargaining or for workers to strike legally, and it does not prohibit retaliation against strikers.

There are no labor unions in the country, and workers face potential dismissal, imprisonment, or, in the case of migrant workers, deportation for union activities.

The government allows citizen-only labor committees in workplaces with more than 100 employees, but the government places limitations on the right of association and is heavily involved in the formation and activities of these committees. For example, the Ministry of Labor approves committee members, and ministry representatives can attend committee meetings. According to the International Trade Union Confederation's *2011 Annual Survey of Violations of Trade Union Rights*, the minutes of the meetings must be submitted to management and then passed on to the minister, and the ministry can dissolve committees if they violate regulations or threaten public security. Committees can make recommendations to company management regarding only improvements to work conditions, health and safety, productivity, and training programs.

There were several strikes tied to construction projects and nonpayment of wages reported in the press during the year. Most were resolved peacefully within a few

days with no reports of violence against labor leaders or activists. There were no reports that striking workers were arrested or threatened with deportation.

### **b. Prohibition of Forced or Compulsory Labor**

The law sets forth working conditions and pay, including for children, and implicitly prohibits forced labor through fines and bans on the violating sponsor from future hiring. In August the Ministry of Labor mandated the establishment of fewer, larger expatriate labor recruitment firms, ostensibly to better protect migrant workers, including domestic workers. At the end of the year, these “mega-recruitment firms” were still not fully operational. Under the previous system, the government did not effectively enforce legal protections for migrant workers, and the labor law does not apply to domestic employees, the largest group of workers susceptible to forced labor conditions. The 2009 antitrafficking law and other laws prohibiting abuse apply to domestic workers, and unconfirmed government reports indicated at least some abusive sponsors were investigated and prosecuted under the statutes. There were reports that forced or compulsory labor occurred, especially among migrant workers and children. According to a June 21 *Arab News* article, for example, local authorities in the southern province of Jizan discovered a 45-year-old Sri Lankan maid, Indrani Mallika Hettiarachchi, who had been kept against her will without pay for nearly 14 years by her employer; authorities subsequently arrested the employer.

Also see the Department of State’s *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law states no person younger than 15 years may legally work unless that person is the only family worker. According to the International Labor Organization, children between the ages of 13 and 15 may work if the job is not harmful to health or growth and does not interfere with schooling. There is no minimum age for workers employed in family-owned businesses or other areas considered extensions of the household, such as farming, herding, and domestic service. Children younger than age 18 may not work in hazardous or harmful industries, such as mining, or industries with power-operated machinery. There were reports of foreign domestic workers younger than 18, some of whom traveled to the country with forged documents.

Child labor occurred in the country, most commonly in the form of begging. Children from poor families and foreign children trafficked into the country specifically for this purpose worked as beggars. Children from other countries, primarily Yemen and Ethiopia, were forced into child begging rings, street vending, and family businesses.

#### **d. Acceptable Conditions of Work**

In March the king issued a royal decree setting a monthly minimum wage of 3,000 riyals (\$800) for public sector employees. There was no private sector minimum wage; however, according to Saudi Arabian Monetary Agency statistics for 2009, the lowest-paid workers, manual and unskilled laborers, took home approximately 1,000 riyals (\$267) per month plus some allowances, such as for living quarters.

Labor regulations provide for a 48-hour standard work week at regular pay; a weekly 24-hour rest period (normally on Fridays, although the employer may grant it on another day); and time-and-a-half pay for overtime, with a maximum of 12 additional hours. While the government enforced these standards for most workers, they did not apply to domestic workers (see section 7.b.).

Migrant domestic workers were vulnerable to abuse and exploitation, including nonpayment of wages, working long hours without rest, restrictions on movement, and physical and verbal abuse.

Bilateral labor agreements stipulate conditions on foreign workers' minimum wage, housing, benefits including leave, medical care, and other topics. Conditions varied depending on the country's relative bargaining leverage. Noncitizen laborers generally negotiated and agreed to conditions prior to arrival in the country, but many found themselves subjected to conditions to which they had not agreed to, such as delays in payment of wages, changes in employer, or different working hours and conditions. The Ministry of Labor's Migrant Workers' Welfare Department addressed cases of abuse and exploitation. Noncitizen workers were able to submit complaints and seek help from the 37 offices throughout the country, although the government was not generally responsive. The Ministry of Labor reportedly maintained a database of abusive employers and occasionally banned individuals and companies who mistreated noncitizen workers from sponsoring such workers for up to five years; however, the ministry did not provide any examples of employers banned during the year.

The estimated 8.4 million noncitizen workers, including approximately 1.5 million female domestic employees, may reside or work in the country only under the sponsorship of a citizen or business. The law does not permit noncitizens to change their workplace without their sponsor's permission, thus forcing the worker to remain with the sponsor until fulfillment of the contract or seek the assistance of the embassy to return home. Under the new Saudization program, "Nitaqaat," whose implementation began on June 11, the visas of foreign workers at companies not meeting specific goals for employing citizens as a percent of their workforce lapses, and these workers can transfer their sponsorship to a new firm. Sponsors with commercial or labor disputes with foreign employees could ask authorities to prohibit the employees from departing the country until the dispute is resolved.

Sponsoring employers controlled foreign workers' ability to remain employed and in the country. In most cases sponsoring employers held foreign workers' passports and were responsible for processing residence permits on their behalf, although the country has a law prohibiting the withholding of passports. Many noncitizen workers, particularly domestic employees, were not able to exercise their right to remove themselves from dangerous situations. Some employers physically prevented them from leaving or threatened them with nonpayment if they left.

Foreign workers can contact the labor offices of their embassies for assistance, and, although there were some accounts in the media, most information about abuses came from embassy representatives from labor exporting countries. There continued to be a large number of reported incidents of abuse, including the withholding of passports, restrictions of movement and communication, and nonpayment of wages. Credible reports suggest that employers sometimes forced female domestic employees to work 16 to 20 hours per day, seven days per week, with little or no pay. Other workers were abused as well. For example, authorities blocked Radio Netherlands' worldwide Arabic Web site after a July 15 program on Saudi mistreatment of foreign workers that included a video of the beating of an Asian worker with a stick. In some contract disputes, a sponsor held the employee in country until the dispute was resolved to force the employee to accept a disadvantageous settlement or risk deportation without any settlement. During the year both Indonesia and the Philippines put bans in place on new domestic workers from their countries working in Saudi Arabia while they sought to improve the contract terms of their workers. The Philippines also requested that prospective employers provide bank statements. As of year-end, the bans remained in place.

During the year hundreds of domestic workers sought shelter at their embassies, some fleeing sexual abuse or other violence, and some embassies maintained safe houses for citizens fleeing situations that amounted to bondage. The workers usually sought legal help from embassies and government agencies to obtain end-of-service benefits and exit visas. The government rarely filed criminal charges against abusive employers.

In addition to their embassies, domestic employees may contact the NSHR, the HRC, the governmental Permanent Committee to Combat Human Trafficking, and the Ministry of Labor's Migrant Workers' Welfare Department, a department providing services to safeguard migrant workers' rights and to protect them from abuse. Workers may also apply to the offices of regional governors and may lodge an appeal with the Board of Grievances against decisions from those authorities.

The government engaged in a news campaign highlighting the plight of abused workers, trained law enforcement and other officials on combating trafficking in persons, and worked with the embassies of labor-sending countries to disseminate information about labor rights to foreign workers.

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