

# SAUDI ARABIA 2014 HUMAN RIGHTS REPORT

## 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 Koran and Sunna (the traditions of the Prophet Muhammad) serve as the country's constitution. In 2011 the country held elections on a nonparty basis for half of the 1,632 seats on the 285 municipal councils around the country. Independent polling station observers identified no irregularities with the election; however, women could not be candidates and could not vote. Authorities generally maintained effective control over the security forces.

The most important human rights problems reported included citizens' lack of the ability 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, children, and noncitizen workers.

Other human rights problems reported included abuses of detainees; overcrowding in prisons and detention centers; investigating, detaining, prosecuting, and sentencing lawyers, human rights activists, and antigovernment reformists; holding political prisoners; denial of due process; arbitrary arrest and detention; and arbitrary interference with privacy, home, and correspondence. Violence against women, trafficking in persons, and discrimination based on 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 identified, prosecuted, and punished a limited number of officials who committed abuses, particularly those engaged or complicit in corruption. Some members of the security forces and other senior officials reportedly committed abuses with relative 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. Closed court proceedings in some capital cases made it impossible to determine positively whether authorities allowed the accused to present a defense or granted basic due process; however, the law requires a unanimous endorsement by the Supreme Judicial Council for all death sentences.

On February 19, two security personnel and two local residents were killed during an attempt to arrest a wanted man in Awamiya. According to official statements, the police came under fire when attempting to enter the home of the wanted man's brother. During the exchange of gunfire, a resident of the home and a neighbor were killed. The neighbor, 34-year-old Hussein Ali Madan al-Faraj, was killed in an alleyway near the house while carrying a camera. Local residents reported he often photographed protests and police actions and had come out of his nearby home to document the arrest.

According to the country's interpretation and practice of sharia, capital punishment is the prescribed penalty for sorcery. The country lacks a written penal code listing criminal offenses and the associated penalties for them (see section 1. e.); absent such a code, the punishments for the practice of magic or sorcery are subject to considerable judicial discretion in the courts.

Authorities investigated or arrested several individuals in connection with sorcery during the year. On August 5, the Ministry of Interior announced that authorities beheaded Mohammad bin Bakr al-Alawi, a Saudi national, for practicing sorcery "and other similar offenses" in the border town of Gurayyat in al-Jawf Province, based on a judicial order.

### **b. Disappearance**

The government reportedly arrested and detained multiple persons during the year, refusing for extended periods in some cases to acknowledge the detention or to provide information about an individual's whereabouts.

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

The law prohibits torture and holds criminal investigation officers accountable for any abuse of authority. Sharia, as interpreted in the country, prohibits judges from

accepting confessions obtained under duress; statutory law provides that public investigators shall not subject accused persons to coercive measures to influence their testimony.

In contrast with previous years, there were no confirmed reports of torture by government officials. Ministry of Interior officials claimed rules prohibiting torture prevent such practices from occurring in the penal system. Former detainees in al-Ha'ir Prison, a detention facility run by the ministry's General Investigations Directorate (Mabahith), claimed that while physical torture was uncommon in detention, Mabahith officials sometimes resorted to mental or psychological abuse of detainees, particularly during the investigation phase when interrogating suspects. The ministry installed surveillance cameras to record interrogations of suspected persons in criminal investigation offices, some police stations, and in prisons where such interrogations regularly occurred, such as Mabahith prison facilities.

Government officials also claimed representatives from the governmental Human Rights Commission (HRC) and the quasi-nongovernmental National Society for Human Rights (NSHR), supported by a trust funded by the estate of the late king Fahd, conducted prison visits to ascertain whether torture did or did not occur in prisons or detention centers and maintained permanent branches in some facilities. No former detainees, however, have verified independently that such office branches existed. Moreover, there continued to be reports ministry officials sometimes subjected prisoners and detainees to physical and mental abuse; however, due to lack of government transparency, it was not possible to ascertain the accuracy of some of these reports. There was no available information on the number of cases of abuse and corporal punishment; however, former detainees in Mabahith-run facilities alleged abuse during detention, including sleep deprivation or long periods of solitary confinement for nonviolent detainees.

Authorities executed several individuals during the year for crimes such as drug smuggling and sorcery. On August 18, the Ministry of Interior announced the execution of four Saudi men, Hadi al-Mutlaq, Awadj al-Mutlaq, Mufreh al-Yami, and Ali al-Yami, following their conviction on charges of smuggling hashish into the kingdom.

In 2011 security officials reportedly took human rights activist Mekhleef bin Daham al-Shammary from his prison cell at the Dammam General Prison and allegedly poured an antiseptic cleaning liquid down his throat, resulting in his hospitalization. In 2012 officials released al-Shammary from prison, and the

Board of Grievances reportedly awarded him compensation for wrongful detention. In November, however, an appeals court in Riyadh ruled that his case was not in the jurisdiction of the Board of Grievances. On February 17, al-Shammary asked the Specialized Criminal Court in Riyadh to complete proceedings against him after judicial authorities failed to issue a sentence by the February 10 deadline. Officials at the court reportedly told al-Shammary that it had postponed indefinitely issuing his sentence. On November 3, the Khobar Criminal Court sentenced al-Shammary to two years in prison and 200 lashes, after he commented on Twitter in support of Shia-Sunni reconciliation and attended a Shia religious gathering.

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), a semiautonomous agency--referred to by some as the “religious police” --has the authority to monitor social behavior and enforce morality subject to the law and in coordination with law enforcement authorities.

The courts continued to use corporal punishment as a judicial penalty, almost always in the form of floggings, a practice government officials defended as dictated by sharia. According to local human rights activists, police conducted the floggings according to a set of guidelines determined by local interpretation of sharia. The police official administering the punishment must place a book under his arm that prevents raising the hand above the head, limiting the ability to inflict pain on the person subjected to the punishment, and instructions forbid police from breaking the skin or causing scarring when administering the lashes. Courts sentenced several individuals convicted of theft to be punished by amputation, and there was one confirmed case of judicially administered amputation during the year.

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

Prison and detention center conditions varied, and some did not meet international standards.

Physical Conditions: The director general of prisons announced in February 2013 there were 47,000 male and female prisoners and detainees in the kingdom; noncitizens constituted approximately 72 percent of those held. Authorities held men and women in separate facilities and staffed women’s prisons with female guards. Juveniles constituted less than 1 percent of detainees. Although information on the maximum capacity of the facilities was not available, overcrowding in some detention centers was a problem. Violations listed in

reports by the NSHR following prison visits documented shortages of, and improperly trained, wardens; lack of access to prompt medical treatment when requested; holding prisoners beyond the end of their sentences; and failure to inform prisoners of their legal rights. An October report criticized prison authorities for allowing some prisoners and prison administrators to exploit other inmates by hoarding supplies sold by prison commissaries. Some detained individuals complained about lack of access to adequate health-care services. Some prisoners alleged prison authorities maintained cold temperatures in prison facilities and deliberately kept lights on 24 hours per day to make prisoners uncomfortable.

Observers regarded food supplied as adequate; however, in March local media reported prison authorities forced inmates in a prison in Najran to eat a meal that included chicken heads. The spokesman for the General Directorate of Prisons, Major Abdullah al-Harbi, announced authorities would investigate the incident; however, at year's end there was no report of the results of the investigation. Human rights activists reported that death in prisons, jails, or pretrial detention centers was infrequent.

Authorities held pretrial detainees together with convicted prisoners. They separated persons suspected or convicted of terrorism offenses from the general population but held them in similar facilities. There were no reports of prisoners denied access to potable water.

Activists alleged authorities sometimes detained individuals in the same cells as individuals with mental disabilities as a form of punishment and indicated authorities equally mistreated the persons with disabilities. This was the case for political reformist Abdulaziz al-Wuhaibi, who remained in a military hospital's psychological ward during the year (see section 3).

Administration: There were multiple legal authorities for prisons and detention centers. Local provincial authorities administered some prisons while the Ministry of Interior administered other prisons and detention centers. Authorities sometimes held pretrial detainees in the same facilities as convicted prisoners, as there was no enforced policy in place to detain the two groups separately. Recordkeeping on prisoners was inadequate. There were reports authorities held prisoners after they had completed their sentences. In June Nasir al-Yamani, the director of the Jeddah juvenile detention center Dar al-Mulhadh, stated 10 convicts detained at his facility had completed their 10-year prison terms, but authorities had not completed procedures necessary to release them. The Saudi Human Rights

Commission registered a complaint with the Ministry of Social Affairs concerning the 10 detainees on behalf of their families.

Penal and judicial authorities used alternatives to incarceration for nonviolent offenders, including probation, house arrest, travel bans, and religious counseling. In February 2013, however, the Ministry of Interior launched an “electronic portal” that provided detainees and their relatives access to a database containing information about the legal status of the detainee, including any scheduled trial dates. No ombudsmen were available to register or investigate complaints made by prisoners, although prisoners could and did submit complaints to the HRC and the NSHR for investigation. Authorities differentiated between violent and nonviolent prisoners, pardoning nonviolent prisoners to reduce the prison population.

Authorities permitted relatives and friends to visit prisoners twice a week; however, there were reports prison officials denied this privilege in some instances. Authorities permitted Muslim detainees and prisoners to perform religious observances such as prayers; however, prison authorities in Mabahith prison facilities reportedly did not arrange for detainees to conduct Friday Islamic congregational prayer services. There was no information available on whether prisoners were able to submit complaints to judicial authorities without censorship or whether authorities investigated credible allegations of inhuman conditions and treatment and made them public. The families of detainees could access a website for the Ministry of Interior’s General Directorate of Prisons that contained forms to apply for prison visits, temporary leave from prison (generally approved around the post-Ramadan Eid holidays), and release on bail (for pretrial detainees). Family members of detained persons continued to complain authorities canceled scheduled visits with their relatives without reason.

Independent Monitoring: No independent human rights observers visited prisons or detention centers during the year. There were no reports the government permitted foreign diplomats to visit prison facilities to view general conditions in nonconsular cases. In a limited number of cases, foreign diplomats visited individuals in detention; however, visits took place in a separate visitors’ center where conditions may have differed from those in the detention facilities holding the prisoners. The most recent prison visit conducted by an independent human rights organization was a 2006 visit by Human Rights Watch (HRW); however, the government permitted the governmental HRC and domestic quasi-governmental organizations such as the NSHR to monitor prison conditions. The organizations stated they visited prisons throughout the country and reported on prison

conditions. The NSHR monitored health care in prisons and brought deficiencies to the attention of the Ministry of Interior.

In August the NSHR announced it had submitted 943 letters of complaint to the Ministry of Interior's Mabath concerning prison conditions on behalf of detainees housed between 2009 and the current year. The complaints alleged refusals of temporary release requests and poor healthcare; moreover, they charged Mabath officers flouted prison regulations. In September the NSHR reported it received 1,328 complaints since 2011 concerning conditions at prisons administered by the ministry's General Directorate of Prisons. Sixty percent of the complaints concerned substandard health services and the spread of infectious diseases in detention centers. The NSHR report noted that, in some cases authorities held prisoners in facilities with no ventilation or in locations with direct exposure to the sun. The NSHR report also noted complaints that authorities held individuals beyond their prison sentences and did not provide women detained at al-Malaz prison in Riyadh regular access to legal counsel.

Improvements: The most recently available statistics indicated there were 116 prison facilities run by the General Directorate of Prisons, including 12 reformatories; however, authorities expanded the prison system through the construction of new facilities during the year. Human rights activists reported health services in certain Mabath-run detention facilities improved, and prison authorities established commissaries in some facilities that allowed prisoners to purchase additional food in exchange for wages earned at the prison.

#### **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. Legally, authorities may not detain a person under arrest for more than 24 hours, except pursuant to a written order from a public investigator. Authorities must inform the detained person of the reasons for detention. 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 reported, maintained broad powers to arrest and detain persons indefinitely without judicial oversight or effective access to legal counsel or family. Authorities held persons for weeks, months, and sometimes years and reportedly failed to advise them promptly of their rights, including their legal right to be represented by an attorney. In December 2013 the government promulgated a royal decree revising key elements of the Law of Criminal Procedure, nominally

strengthening some protections of the original law, but weakening some due process protections.

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

The king and the ministries of defense and interior, in addition to the Ministry of National Guard, are all responsible for law enforcement and maintenance of order. The Ministry of Interior exercises primary control over internal security and police forces. The civil police and the internal security police have authority to arrest and detain individuals. Military and security courts investigated abuses of authority and security force killings.

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. As of June the CPVPV had 12 branch offices, 129 subcommission offices, and 345 information centers throughout the kingdom. Regulations require the members of the CPVPV to carry official identification and have a police officer accompany them at the time of an arrest. In 2013 the king issued a royal decree curtailing some CPVPV powers and transferring responsibilities to other competent authorities. While the CPVPV may detain suspects for brief periods, it must transfer suspects directly to police authorities to complete legal proceedings against them. CPVPV agents have authority to investigate only certain categories of offenses, including harassment of women, alcohol and drug-related offenses, witchcraft, and sorcery. On February 19, the chairman of the CPVPV, Sheikh Abdullatif Al al-Sheikh, announced that CPVPV staff regularly monitored electronic websites to forward to the Bureau of Investigation and Prosecution (BIP) cases of individuals who promoted “witchcraft and immorality” on social media sites such as Twitter.

On August 29, CPVPV officials ordered an internal investigation after a witness filmed CPVPV employees in a video posted on the internet violently assaulting a British national and his Saudi wife in a parking lot in Riyadh. The CPVPV employees reportedly suspected the British man of gender mixing with an unrelated female. Authorities announced they found the four CPVPV employees guilty of abusing authority; the CPVPV employees appealed the judgment.

On August 17, a judge upheld a sentence of a month-long prison term and 50 lashes for a businesswoman convicted of insulting CPVPV officers during an argument after the men entered her cafe to verify no immoral activity was occurring. Also on August 17, the CPVPV disclosed it requested the Ministry of



Interior to arrest a number of persons it claimed committed apostasy or blasphemy. Human rights activists alleged the ministry likely originated the list to target critics of the government. On September 22, the CPVPV president announced the CPVPV had fired an unspecified number of employees who engaged in corruption or used their power to harass persons with whom they had personal disputes.

Ministry of Interior police and 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 force members 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 CPVPV on protecting human rights.

The BIP and the Control and Investigation Board (CIB) are the two units of the government with authority to investigate reports of criminal activity, corruption, and “disciplinary cases” involving government employees. These bodies are responsible for investigating potential cases and referring them to the administrative courts. Officers of the Mabath, however, also have broad authorities to investigate, detain, and forward to the judicial authorities “national security” cases which ranged from terrorism cases to dissident and human rights activist cases separate from the Board of Investigation and Prosecution. A June, Ministry of Justice decree formalized and reaffirmed the role of the Specialized Criminal Court (SCC), founded in 2008 to try terrorism offenses, following the promulgation of a new counterterrorism law in February.

In 2011 the Council of Ministers consolidated legal authorities for investigation and public prosecution of criminal offences within the BIP; however, the CIB continued to be responsible for investigation and prosecution of noncriminal cases. All financial audit and control functions were limited to the General Auditing Board.

### **Arrest Procedures and Treatment of Detainees**

According to the Law of Criminal Procedure, as amended in 2013, “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 authorities may issue an arrest warrant based on evidence, but authorities frequently did not use warrants, and they were not required in cases where probable cause existed.

The law requires that authorities file charges within 72 hours of arrest and hold a trial within six months, subject to exceptions specified by amendments to the Law of Criminal Procedure and the new Counterterrorism Law (see section 2.a.). Legally, authorities may not detain a person under arrest for more than 24 hours, except pursuant to a written order from a public investigator. Authorities reportedly often failed to observe these legal protections, and there was no requirement to advise suspects of their rights. Judicial proceedings began after authorities completed a full investigation, which in some cases took years.

In November 2013 the government promulgated a royal decree revising key elements of the Law of Criminal Procedure. While some of the amendments offered nominal improvements, other changes weakened due process protections contained in the earlier law. For example, an amendment to the law removed the ability of the presiding judge in a case to transfer it to another court before a sentence was issued. Another amendment altered language in a manner that might deny defendants the automatic ability to appeal. The law specifies procedures required for extending the detention period of an accused subject beyond the initial five days. The amended law expands the number of individuals empowered to renew pretrial detentions for periods of up to six months to include the president of the Board of Investigation and Prosecution and his designated subordinates. The amended text allows authorities to approve official detentions in excess of six months in “exceptional circumstances,” effectively allowing individuals to be held in pretrial detention indefinitely. Another amendment to the law extends from three months to six months the deadline for the BIP to gather evidence against the accused and issue a warrant for the defendant’s arrest, summons, or detention. This provision is also contained in the new Counterterrorism Law, subject to the approval of the extension by the SCC. Another amendment explicitly allows an individual to represent himself in court.

There was a functioning bail system for less serious criminal charges. Detainees generally did not have the right to obtain a lawyer of their choice. In normal cases the government typically provided lawyers to defendants; however, human rights

activists often did not trust the courts to appoint lawyers for them, out of concern the lawyer would be biased.

Incommunicado detention was sometimes a problem. Authorities reportedly did not always respect detainees' right to contact family members following arrest, and the new Counterterrorism Law, as amended, allows the Ministry of Interior to hold a defendant for up to 90 days in detention without access to family members or legal counsel. Security and some other types of prisoners sometimes remained in detention for long periods before family members or associates received information of their whereabouts, particularly for detainees in Mabahith-run facilities. Following the April detention of human rights lawyer Waleed Abu al-Khair, his wife, Samar Badawi, reported prison authorities did not grant any of multiple requests to visit her husband (see section 2.a.). Authorities repeatedly transferred Abu al-Khair multiple times while in detention during the year.

On October 31, authorities detained Souad al-Shammari, a Saudi women's rights and human rights activist. Her detention came after she published remarks on Twitter criticizing Saudi religious clerics. As of year's end, she remained detained without charge.

In October authorities also detained Hassan al-Maliki, a Saudi secondary school teacher. Al-Maliki was active on Twitter, where he called for sectarian reconciliation and criticized intolerant language contained in Saudi textbooks. As of year's end, he remained detained without charge.

In response to protests by family members of long-term security detainees, many of whom were suspects held on terrorism or security grounds, in February 2013 the Ministry of Interior created a website designed to connect detainees with their families "for humanitarian reasons." According to the ministry, the government provides family members of detainees with user names and passwords to access a website to send emails, make calls, and arrange direct video-conferencing sessions with detainees. Detainees could use the portal to apply for short periods of release to attend family weddings or funerals.

Arbitrary Arrest: There were reports of arbitrary arrest and detention. The law no longer prohibits detention without charge for periods longer than six months, but it permits longer detention with a court order. During the year authorities detained without charge security suspects, persons who publicly criticized the government, Shia religious leaders, and persons who violated religious standards.

Pretrial Detention: Lengthy pretrial detention was a problem. Before authorities disestablished them, local officially unlicensed nongovernmental organizations (NGOs), such as the Saudi Association for Civil and Political Rights (ACPRA) and the Adala Center for Human Rights, challenged the Ministry of Interior publicly and in court on cases considered to involve arbitrary arrest or detention; however, authorities disestablished them, and they ceased operating in 2013 and 2014. ACPRA claimed the ministry sometimes ignored judges' rulings; judges appeared powerless to take action against the ministry.

There was no available information on the percentage of the prison population in pretrial detention or the average length of time held; however, local human rights activists knew of dozens of cases. Human rights activists reportedly received up to three calls per week from families claiming authorities held their relatives arbitrarily.

In March 2013 the Ministry of Interior's BIP released statistics accounting for those detained on suspicion of terrorism since 2001. The data indicated that of 11,527 such persons arrested, authorities had released 8,755. Of those released, according to the ministry, 551 were foreign nationals and 2,221 were Saudi citizens. Those not released had either been referred to "the competent criminal courts," or were still "being tried," according to previous announcements by the ministry. The differences in these legal designations were unclear. In 2012 the ministry also reportedly paid compensation of 32 million riyals (\$8.5 million) to 486 detainees for being detained longer than their jail sentences and provided 529 million riyals (\$141 million) in monthly assistance to the families of suspects. During the year the ministry announced it had detained hundreds of additional individuals for terrorist acts following a campaign against alleged material supporters of and ideological sympathizers with the Islamic State of Iraq and the Levant (ISIL), with detentions escalating after July. In September the ministry reported 1,100 persons involved in terrorist cases "have so far been referred to pertinent courts and around 500 cases have been reviewed and appealed according to legal procedures." The beginning date for these referrals was not clear.

Detention of Rejected Asylum Seekers or Stateless Persons: As of year's end, three Eritrean military officers who defected to the country in 2012 and 2013 and attempted to claim asylum remained in detention in Jazan. The officers defected in separate incidents in military jets and subsequently claimed human rights abuses in their country; the Office of the UN High Commissioner for Refugees (UNHCR) in Riyadh continued to monitor their cases.

Amnesty: The king continued the tradition of commuting some 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 setting aside the conviction. The remaining sentence could be added to a new sentence if the pardoned prisoner committed a crime subsequent to his release. There were general pardons or grants of amnesty on special occasions throughout the year. On June 30, the king pardoned and released at least 128 prisoners on the occasion of Ramadan, upon the recommendation of a special committee in charge of studying the cases of prisoners.

Additionally, authorities did not detain some individuals, despite their receiving prison sentences. The February Law on Countering Terrorist Crimes and their Financing contained a provision that allows the interior minister to stop proceedings against an individual who cooperates with investigations or helps thwart a planned terrorist attack. Moreover, the minister can release individuals already convicted on such charges.

In April the NSHR stated 45 percent of crimes addressed by courts were switched to alternative penalties such as community service, religious guidance, and behavioral counseling courses. In June the Reconciliation Committee in Mecca Province issued its annual report, which documented 715 cases in which it successfully secured pardons for prisoners sentenced to death.

#### **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. Nevertheless, the judiciary was not independent, as it was required to coordinate its decisions with executive authorities, with the king as final arbiter. Although public allegations of interference with judicial independence were rare, the judiciary reportedly was subject to influence, particularly in the case of legal decisions rendered by specialized judicial bodies, such as the SCC, which rarely if ever acquitted suspects. Human rights activists reported SCC judges received implicit instructions to issue harsh sentences against human rights activists, reformists, journalists, and dissidents, although they were not engaging in terrorist activities.

On June 16, the Ministry of Justice announced inspectors tasked by the Supreme Judicial Council and the ministry with “verifying judges discipline” in dealing with defendants subjected regular courts to regular and unannounced inspections. In August the government pressed charges against a judge for acquitting a religious

teacher convicted for having ties with al-Qaida. There were no reports during the year of courts exercising jurisdiction over senior members of the royal family, and it was not clear whether the judiciary would have jurisdiction in such instances.

In December 2013, however, Crown Prince Salman bin Abdulaziz announced he would not pardon an unnamed Saudi prince whom authorities had sentenced to death for his alleged role in the death of a man. The family of the victim in the case had refused to accept *diyah* or “blood money” as compensation for their relative’s death.

Allegedly there were problems enforcing court orders from courts in the regular court system, particularly against the Ministry of Justice. On August 10, the Ministry of Justice announced electronic linkage of ministerial departments and the Saudi Arabian Monetary Fund designed to increase efficiencies in implementing financial rulings, in particular rulings related to alimony for divorcees and providing child support. In December 2013, 200 judges sent a letter to the king to complain about the slow pace of reform and the “poor performance” of the Ministry of Justice.

### **Trial Procedures**

The law states defendants should be treated equally in accordance with sharia. In the absence of a written penal code listing all criminal offenses and punishments, judges in the courts determine many of these penalties by legal interpretations of sharia. The Council of Senior Religious Scholars, an autonomous advisory body, issues religious opinions (*fatwas*) that guide how judges interpret sharia.

Additionally, sharia is not solely based on precedent. As a result rulings and sentences diverged widely from case to case. According to judicial procedures, appeals courts cannot independently reverse lower court judgments; they are limited to affirming judgments or returning them to a lower court for modification. Even when judges do not affirm judgments, appeals judges, in some cases, return the judgment to the judge who originally authored the opinion. This procedure sometimes makes it difficult for parties to receive a ruling that differs from the original judgment in cases where judges hesitate to admit error. While judges may base their decisions on any of the four Sunni schools of jurisprudence, the Hanbali school predominates and forms the basis for the country’s law and legal interpretations of sharia. Shia citizens use their legal traditions to adjudicate family law cases between Shia parties; however, either party can decide to adjudicate a case in state courts, which use Sunni legal tradition.

According to the law, there is neither presumption of innocence nor trial by jury. The law states that court hearings shall be public; however, courts may be closed at the judge's discretion, and as a result many trials during the year were closed. In December 2013 and throughout the year, foreign diplomatic missions received permission for the first time to attend nonconsular court proceedings (that is, cases to which neither the host nation nor any of its nationals were a party). To attend, authorities required diplomats to obtain advance written approval from the Ministry of Foreign Affairs, Ministry of Justice, the court administration, and the presiding judge. Authorities sometimes did not permit entry to such trials to individuals other than diplomats who were not the legal agents or family members of the accused. Court officials at the SCC sometimes prevented individuals from attending trial sessions for seemingly trivial reasons, such as banning female relatives from attending due to the absence of women officers to inspect the women upon entry to the courtroom. According to the Ministry of Justice, authorities may close a trial depending on the sensitivity of the case to national security, the reputation of the defendant, or the safety of witnesses.

Representatives of the Saudi Human Rights Commission, the Ministry of Justice, and sometimes representatives of the state-controlled media regularly attended trials at the SCC in Riyadh.

According to the HRC, the government may, at its discretion, provide an attorney to indigents at public expense. November 2013 amendments to the Law of Criminal Procedure strengthened provisions stating authorities will offer defendants a lawyer at government expense. Nevertheless, the new Counterterrorism Law limits the right of defendants to access to legal representation--in cases defined by the government as terrorism--to an unspecified period "before the matter goes to court within a timeframe determined by the investigative entity."

The law provides defendants the right to be present at trial and to consult with an attorney during the investigation and trial. There is no right to access government-held evidence. Defendants may request to review evidence and the court decides whether to grant the request. Defendants also have the right to confront or question witnesses against them and call witnesses on their behalf, but the court presents the witnesses. The law provides that an investigator appointed by the BIP 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. A defendant may not be compelled to take an oath or be subjected to any

coercive measures. 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, nonpracticing Sunni, Shia, foreigners, 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 judges sometimes completely disregarded or refused to hear testimony by Shia.

Among many reports of irregularities in trial procedures was the case of Mohammed Saleh al-Bajady, a political dissident and founding member of ACPRA. In August 2013, a week after his release following more than two years in detention, authorities re-incarcerated him. Originally, authorities arrested al-Bajady in 2011 for his leadership role in ACPRA and for publicly demanding political and legal reforms, including calls for a constitutional monarchy in the kingdom and protection for freedom of expression and association. In 2012 authorities sentenced him to four years' imprisonment and a subsequent five-year international travel ban. During al-Bajady's trial, the court denied observers access to hearings and refused to allow his lawyer access to the courtroom. It was unclear whether al-Bajady would be required to serve the remainder of his four-year sentence. In October authorities announced they would retry Bajady before the SCC in relation to his human rights activities. The first hearing in his trial took place on December 18.

In January authorities retried human rights lawyer Waleed Abu al-Khair before the SCC after a Jeddah Criminal Court had sentenced him to a three-month prison term on a virtually identical set of charges (see section 2.a.). In May the SCC invalidated a royal amnesty previously given to Qatif activist Fadhil al-Manasif, despite arguments by al-Manasif's legal counsel that only a royal order could invalidate an amnesty issued by the Royal Diwan.

Judicial authorities permitted local human rights activists and foreign diplomatic personnel with prior permission to attend the trial of Fawzan al-Harbi, whom authorities sentenced on June 25 to seven years in prison and a subsequent seven-year international travel ban for criticizing government authorities. On November 19, authorities detained al-Harbi and announced his resentencing to 10 years in prison subject to appeal.

### **Political Prisoners and Detainees**



The number of political prisoners or detainees who reportedly remained in prolonged detention without charge could not be reliably ascertained.

In many cases it was impossible to determine the legal basis for incarceration and whether the detention complied with international 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 judge whether they had a credible claim to being political prisoners. The SCC tried a small number of political prisoners each year for actions unrelated to terrorism or violence against the state.

International NGOs, in particular Amnesty International, criticized the government for abusing its antiterrorism prerogatives to arrest some members of the political opposition. Authorities generally gave security detainees the same protections as other prisoners or detainees. High-profile prisoners generally were well treated. Certain prisoners, held on terrorism-related charges, had the option of participating in government-sponsored rehabilitation programs. The new Counterterrorism Law allows investigating agencies to order internment in these programs' rehabilitation facilities of "anyone who is arrested or reported on." The Counterterrorism Law describes these individuals as those who are "surrounded by suspicions or those who represent a threat... as a substitute for arresting or detaining them." Authorities sometimes restricted legal access to detainees; no international humanitarian organizations had access to them.

On August 13, the SCC sentenced Shia cleric Tawfiq al-Aamer to an eight-year prison term, a subsequent 10-year travel ban, and a ban on publicly delivering sermons or speeches. In July 2013 an appeals court increased his prison sentence from three years in prison to four years and upheld the five-year international travel ban. Authorities detained al-Aamer in 2011 for comments critical of the government and charged him in 2012 with calling for political change, libeling the country's religious scholars, and collecting illegal religious donations, among other offenses.

On October 15, the SCC sentenced Shia cleric Nimr al-Nimr to death based on charges of inciting terrorism and sedition, interfering in the affairs of another country, disobeying the nation's guardians, attacking security personnel during his arrest, and meeting with wanted criminals. Authorities detained al-Nimr's brother, Mohammad al-Nimr, following the conclusion of Nimr al-Nimr's hearing that same day, presumably for releasing a statement on behalf of the al-Nimr family

condemning the sentence and for revealing the details of the sentence to the international press, in contravention of a court order. In March 2013 the public prosecutor in the BIP asked for Nimr al-Nimr to be sentenced, executed, and his dead body publicly crucified (hiraba). Authorities allowed family members to visit Nimr al-Nimr at Ha'ir prison during the year, where he remained at year's end. On May 27, authorities also sentenced Nimr al-Nimr's nephew, Ali al-Nimr, to death for crimes he allegedly committed when he was a legal minor. Ali al-Nimr alleged authorities tortured him during detention to obtain a confession.

### **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 generally responded to complaints; domestic violence cases were the most common. Individuals or organizations also may petition directly for damages or government action to end human rights violations before the Board of Grievances except in compensation cases related to state security where the SCC handles remediation. The new Counterterrorism Law contains a provision allowing detainees in Mabahith-run prisons to request financial compensation from the Ministry of Interior for wrongful detention beyond their prison terms.

In some cases the government did not carry out in a timely manner judicially ordered compensation for unlawful detentions. In February 2013 the Specialized Criminal Court awarded Abdulrahman al-Dosary compensation of 350,000 riyals (\$93,330) for detention for 102 days in excess of his sentences; however, as of year's end, the award was not paid.

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

The law prohibits unlawful intrusions into the privacy of persons, their homes, places of work, and vehicles. Criminal investigation officers are required to maintain records of all searches conducted; these records should contain the name of the officer conducting the search, the text of the search warrant (or an explanation of the urgency that necessitated the search without a warrant), and the names and signatures of the persons who were present at the time of search. While the law also provides for the privacy of all mail, telegrams, telephone conversations, and other means of communication, the government did not respect the privacy of correspondence or communications, and the government used the

considerable latitude provided by law to monitor activities legally and intervene where it deemed necessary.

There were reports from human rights activists of governmental monitoring or blocking mobile telephone or internet usage before planned demonstrations. 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. 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.

The CPVPV monitored and regulated public interaction between members of the opposite sex. On February 26, Tabuk governorate ordered members of the CPVPV in their jurisdiction not to contact women’s families when they arrested them for “moral cases,” which included those involving contact with the opposite sex. The governorate claimed reporting these cases “prematurely” would create problems for the women and render them unable to marry.

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

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

Civil law does not protect human rights, including freedoms of speech and of the press; only local interpretation and the practice of sharia protect these rights. There were frequent reports of restrictions on free speech. The Basic Law specifies “mass media and all other vehicles of expression shall employ civil and polite language, contribute towards the education of the nation, and strengthen unity. The media is prohibited from committing acts that lead to disorder and division, affect the security of the state or its public relations, or undermine human dignity and rights.” Authorities are responsible for regulating and determining which speech or expression undermines internal security.

On February 1, the Law for Crimes of Terrorism and Terrorist-Financing (CT law) went into effect following its approval by the Council of Ministers in December 2013. For the first time, the law officially defines and criminalizes terrorism and terrorist financing in the criminal code; however, the legal definition of terrorism is extremely broad, defining a terrorist crime (in part) as “any act...intended to

disturb the public order of the state...or insult the reputation of the state or its position.”

Saudi human rights activists and international human rights organizations criticized the law for its vague definition of terrorism and complained that the government could use it to prosecute peaceful dissidents for “insulting the state.” The new CT law allows the Ministry of Interior to access a terrorism suspect’s banking information and private communications in a manner inconsistent with the legal protections provided by criminal procedure law.

On February 3, a subsequent royal decree set prison sentences for broadly defined terrorist crimes for the first time in the criminal code.

The Press and Publications Law states violators can be fined up to 500,000 riyals (\$133,000) for each violation of the law, which is doubled if the violation is repeated. Other penalties include banning individuals from writing. Formally, the Violations Considerations Committee in the Ministry of Culture and Information has responsibility for the law; however, sharia court judges, who consider these issues regularly, exercised wide discretion in interpreting the law, which made it unclear which expression accords with the law.

Government-friendly ownership of print or broadcast media led to self-censorship, and there was relatively little need for overt government action to restrict freedom of expression. The government, however, could not rely on self-censoring in social media and the internet. Accordingly, to control information it monitored and 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. The government charged those using the internet to express dissent with subversion, blasphemy, and apostasy.

Freedom of Speech: The government monitored 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. The government prohibits public employees 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, which legally can carry the death penalty, although there have not been any recent instances of death sentences for these crimes. Statements authorities construed as constituting defamation of the king,

monarchy, governing system, or the al-Saud family resulted in criminal charges for several Saudis advocating government reform.

The government charged a number of individuals with crimes related to their exercise of free speech during the year. On July 6, the SCC sentenced lawyer and human rights activist Waleed Abu Al-Khair to a 15-year prison term, a subsequent 15-year international travel ban, and a 200,000 riyal (\$53,300) fine for activities related to his human rights work. These activities included public calls for reform, criticisms of government policies and officials, and his role in founding an unlicensed NGO, the Monitor for Human Rights in Saudi Arabia. In January the Jeddah Criminal Court sentenced Abu al-Khair to a three-month prison term on a nearly identical list of charges; however, in late January the Ministry of Interior remanded the case to the SCC to be retried. Following the July judgment, Abu al-Khair announced he would not appeal his judgment since he refused to recognize the legitimacy of the SCC, a tribunal ostensibly created to deal with terrorism cases, to handle his case, and he did not want to lend legitimacy to the SCC or its proceedings. The government has prosecuted and intermittently detained al-Khair since 2011 for criticizing the government. Additionally, the government banned him from travel starting in 2011.

In December 2013 the Buraydah Criminal Court sentenced Umar al-Sa'id, a member of ACPRA, to 300 lashes and four years in prison for calling for a constitutional monarchy and criticizing the country's human rights record; however, authorities subsequently reversed his sentence and ordered that he be retried before the SCC. As of year's end, al-Sa'id remained at Buraydah prison in al-Qassim Province.

In October authorities referred the case of Abdulaziz al-Shobaily to the SCC for prosecution. Al-Shobaily was active on Twitter and published comments critical of the government. He was also a member of ACPRA.

On September 1, the Jeddah Court of Appeals affirmed an earlier judgment by the court on May 7 sentencing Ra'if Badawi to a 10-year prison term and 1,000 lashes following Badawi's decision to appeal his July 2013 sentence of a seven-year prison term and 600 lashes. The judgment also banned Badawi from international travel for 10 years after completing his prison term and banned him from corresponding with international media. The Appeals Court ruled that Badawi violated Islamic values, violated sharia, committed blasphemy, and mocked religious symbols on the internet. The presiding judge in the original case ordered the internet forum closed, although it had been inactive since 2012. A human

rights activist and the founder of the online social forum Saudi Liberals Network, Badawi was detained by authorities in 2012 after his father charged him with “disobedience” in connection with the online forum. At year’s end Badawi remained in custody in Burayman prison in Jeddah and was still awaiting administration of court-ordered lashes.

Press Freedoms: The Press and Publications Law, which extends explicitly to internet communications, governs printed materials; printing presses; bookstores; the import, rental, and sale of films; television and radio; and foreign media offices and their correspondents. In 2011 a royal decree amended the law to strengthen penalties and created a special commission to judge violations. The decree bans 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 2011 royal decree.

Because of their self-censorship, print and media authorities did not frequently prosecute print and broadcast media. The government owned most print and broadcast media and book publication facilities in the country, and members of the royal family owned or influenced privately owned and nominally independent operations, 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 dish usage was widespread. Although satellite dishes were technically illegal, the government did not enforce restrictions on satellite dishes. Access to foreign sources of information, including the internet, was common, but the government blocked access to some internet sites it considered objectionable. Privately owned satellite television networks headquartered outside the country maintained local offices and operated under a system of self-censorship. Many 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 were subject to licensing requirements from the Ministry of Culture and Information and could not operate freely.

The Ministry of Culture and Information must approve the appointment of all senior editors and has 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 Saudi Press Agency reported official government news.

In February the *Saudi Gazette*, a prominent English-language daily print and online newspaper, appointed Somayya Jabarti, a Saudi woman, to the position of editor in chief. Jabarti is the first woman to lead a Saudi newspaper.

All newspapers in the country must be government-licensed. Media outlets legally can be banned or have their publication temporarily halted if the government concludes they violated the Press and Publications Law.

Violence and Harassment: Authorities subjected journalists to arrests, imprisonment, and harassment during the year. On March 4, the SCC of Appeals upheld the sentences of two journalists from the Eastern Province, Habib Ali al-Maatiq and Hussein Malik al-Salam, and increased their prison terms to two years and five years, respectively. Authorities originally detained the two journalists in 2012; they had reported on protests in Qatif for the Al-Fajr Cultural Network news websites.

Censorship or Content Restrictions: The government owned, operated, and censored most domestic television and radio outlets. 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. In some cases, however, individuals criticized specific government bodies or actions publicly without repercussions. On January 7, the government banned Ali Al al-Yani, a television anchor, from his talk show on Rotana Khalijia TV, a private channel owned by Prince Al-Waleed bin Talal. Authorities banned Al al-Yani after he interviewed Abdulaziz al-Otaishan, a member of the Consultative Council, the country's unelected parliament, during which al-Otaishan criticized the government's decision to send 11.25 billion riyals (approximately three billion dollars) in military aid to Lebanon without seeking approval from the Consultative Council.

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 some high-profile or controversial sessions to the media.

Libel Laws/National Security: There were no reports during the year of the government using libel laws to suppress publication of material that criticized policies or public officials.

### **Internet Freedom**

There were government restrictions on access to the internet and credible reports the government monitored e-mails and internet chat rooms. Activists complained of monitoring or attempted monitoring of their communications on web-based communications applications. Internet access was widely available to and used by citizens of the country. The Press and Publications Law implicitly covers electronic media, since it extends to any means of expression of a viewpoint meant for circulation, ranging from words to cartoons, photographs, and sounds. In 2011 the government issued “Implementing Regulations for Electronic Publishing,” setting rules for internet-based and other electronic media, including chat rooms, personal blogs, and text messages. Security authorities actively monitored internet activity.

The Press and Publications Law criminalizes the publication or downloading of offensive sites. The governmental Communications and Information Technology Commission (CITC) filtered and blocked access to websites it deemed offensive, including pages calling for political, social, or economic reforms or human rights. In addition to blocking the websites of local and international human rights NGOs in the country, during the year authorities also blocked access to the websites of expatriate Saudi dissidents such as Ali al-Demainy and the website for the October 26 Women’s Driving Campaign. Security regulations require internet cafe owners to install cameras and maintain records on their users.

The Ministry of Culture and Information or its agencies must authorize all websites registered and hosted in the country. During the year the government created a General Commission for Audiovisual Media and assigned the new entity responsibility for regulating all audio and video content in the country, including satellite channels, film, music, internet, and mobile applications, independent from the Ministry of Commerce and Industry.

The CITC dealt with requests to block adult content and coordinated decisions with the Saudi Arabian Monetary Agency on blocking phishing sites seeking to obtain confidential personal or financial information. Under the Telecommunication Act, failure by service providers to block banned sites can



result in a fine of five million riyals (\$1.33 million). Authorities submitted all other requests to block sites 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, authorities received an average of 200 requests daily to block and unblock sites.

On August 17, the CPVPV confirmed it actively coordinated with the CITC to block pornography and websites that promoted unorthodox or “ill informed” views on religion. According to HRW independent security researchers in June identified surveillance software that appeared to target individuals in Qatif in the Eastern Province, where a large proportion of the kingdom’s Shia religious minority live. The researchers discovered an altered version of an application for mobile phones, which, if installed, would allow the government to access information, including call history, e-mail, and text messaging.

According to the NGO Reporters Without Borders, authorities claimed to have blocked cumulatively approximately 400,000 websites. The CITC claimed Facebook removed materials the CITC deemed offensive, but Twitter ignored all CITC requests. On October 21, Grand Mufti Abdul Aziz Al Shaikh described Twitter as “the repository of scourge and evil and the source of lies and falsehoods.”

In June 2013 authorities banned Viber, a proprietary cross-platform, voice-over-internet protocol application developed primarily for use on smart phones, for its failure to meet domestic “regulatory requirements.” As of December Viber was again accessible in the country without the use of a virtual private network despite the official ban. A 2013 announcement had warned the CITC would “take appropriate action” against other applications or services, including Skype and WhatsApp, if the proprietary services did not allow the government “lawful access” for monitoring purposes.

Access to the internet was legally available only through government-authorized internet service providers. Although the authorities blocked websites offering proxies, persistent internet users accessed the unfiltered internet via other means. In February the CITC blocked access in the country to 41 local news websites for failing to obtain the requisite licensing and permissions from the Ministry of Culture and Information.

On June 6, *Rasid*, an online newspaper based in Qatif in the Eastern Province, ceased operation. The last message posted on *Rasid*'s website did not cite a reason for the closure but said the website was never meant to be an opposition website, but rather a news site that honestly reported on facts. Activists claimed *Rasid* likely closed due to the new CT law. *Rasid* frequently reported local events, including protests and arrests of members of the Shia community in the Eastern Province.

Laws criminalize defamation on the internet, hacking, unauthorized access to government websites, and stealing information related to national security, as well as the creation or dissemination of a website 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 October 27, a court sentenced lawyer Abdulrahman al-Subaihi to eight years in prison and lawyers Bander al-Nogaithan and Abdulrahman al-Rumaih to five years in prison for “undermining and slandering the judicial system” via critical tweets and for “disobeying the ruler.” Authorities also imposed international travel bans and restricted their postings on social media.

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

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. Academics reportedly practiced self-censorship, and authorities prohibited professors and administrators at public universities from hosting meetings at their universities with foreign academics or diplomats without prior government permission.

In January the Ministry of Interior issued a directive banning hotels, festival halls, and commercial centers from organizing graphic arts or photography exhibits. The ministry directive stated the Ministry of Culture and Information and other security departments must clear the opening of such exhibits.

On July 3, the SCC of Appeals confirmed a lower court sentence against Mekhlef al-Shammary, a Saudi activist from Khobar in the Eastern Province who organized a weekly salon that brought together academics and Shia and Sunni religious figures to discuss reconciliation efforts in the kingdom. In June 2013 the SCC sentenced al-Shammary to a five-year prison term for “stirring up dissent” against the government. Additionally, the court sentenced al-Shammary to a 10-year international travel ban. On November 3, the Khobar Criminal Court sentenced al-

Shammary to two years in prison and 200 lashes on a second set of charges that include hosting reformists for private dinners and gatherings at his home. Al-Shammary ceased publishing human rights commentary on his social media accounts following the confirmation of the first sentence.

On October 28, local and regional press reported a court sentenced a Saudi man to two years in prison and 500 lashes for hosting a mixed-gender concert. Authorities sentenced five male attendees to eight months in prison and 99 lashes. Authorities also detained 15 women; it is unclear if authorities punished them.

In December local press reported police arrested a woman who dressed in men's clothing to be able to attend a soccer match (women are banned from soccer stadiums, except for FIFA-sponsored events because FIFA rules mandate entry of men and women).

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

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

#### **Freedom of Assembly**

The law requires a government permit for an organized public assembly of any type. The government categorically forbids participation in political protests or unauthorized public assemblies. Security forces reportedly arrested demonstrators and detained them for brief periods.

As in 2013 security forces allowed a small number of unauthorized demonstrations throughout the country, despite a 2011 Ministry of Interior statement that demonstrations were banned and that it would take "all necessary measures" against those seeking to "disrupt order;" demonstrations were less frequent during the year. In 2011 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."

Throughout the year authorities continued to allow occasional small demonstrations in the Eastern Province city of Qatif. Activists reported security forces used intimidation to discourage persons from joining demonstrations as a general practice. There were also reports of security forces firing bullets in the air

to disperse crowds. Videos posted on YouTube portrayed residents, largely Shia, protesting alleged systematic discrimination and neglect in public investment while showing antigovernment slogans written on walls.

In contrast to previous years, there were no significant protests by family members of long-term detainees in Mabahith-run prisons. Most protests during the year occurred in the Eastern Province, although the size and number of protests decreased significantly over 2013. On the night of October 15, demonstrators held several peaceful marches in the Qatif area to protest the death sentence of Shia cleric Nimr al-Nimr. Observers estimated the largest of these had 500 attendees. There were no reported arrests or clashes with security personnel.

### **Freedom of Association**

The law does not provide for freedom of association, and the government strictly limited this right. 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. Some groups that advocated changing elements of the social or political order reported their licensing requests went unanswered for years despite repeated inquiries. The ministry reportedly used arbitrary means, such as requiring unreasonable types and quantities of information, effectively denying licenses to associations. As of year's end, the Council of Ministers had not acted on a proposed law on NGOs, which the Consultative Council endorsed in 2008. The law only provides for the establishment of philanthropic and charitable societies. Organizations that have social or research mandates require royal backing to avoid government interference or prosecution.

During the year ACPRA effectively ceased operations as a result of the continued harassment, investigation, prosecution, or detention of most of its members. While ACPRA maintained a presence on social media networks such as Twitter, the government severely curtailed its operations and closed down its website.

In March the Adala Center for Human Rights, based in the Eastern Province, announced the temporary suspension of its activities. Adala specifically referenced the new CT law and implementing regulations, which it said authorities could use to press charges against human rights activists, as the reason for suspending its activities. The Adala Center also said it dropped its intention to continue litigation against the Ministry of Social Affairs for the ministry's failure to issue Adala a license to operate an NGO legally.

In August 2013 a court in Dammam in Eastern Province had dismissed a lawsuit by the founders of the Adala Center against the Ministry of Social Affairs for failing to license the NGO. Later in August the courts rejected the group's petition for an appeal. The ministry successfully argued its refusal to license the Adala Center, which had operated since 2011, was lawful on the basis the law permits the ministry to register only NGOs that are philanthropic or charitable in nature. The 2013 court decision said the Adala Center's charter and governing documents were incompatible with Saudi law because they referred to international law, including the Universal Declaration of Human Rights.

Government-chartered associations observed citizen-only limitations. For example, the Saudi Journalists Association, operating under a government charter, prohibited noncitizen members from voting and 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/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

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

The law does not contain provisions for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally cooperated with the 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 July the government contributed 330 million riyals (\$88 million) to the United Nations to support humanitarian aid for internally displaced and conflict-affected persons in Iraq.

In-country Movement: The government generally did not restrict the free movement of male citizens within the country, but it severely restricted the movement of female citizens. Authorities respected 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 old or older to possess an NIC. In 2012 the Ministry of Interior announced it would start issuing NICs to all female citizens at 15 years of age, phasing in the requirement over a seven-year period. In

September 2013 the ministry stated it had issued only 1.5 million NICs since 2002 to women; the country's female population was approximately 9.8 million.

The guardianship system requires a woman to have the permission of her male guardian (normally a father, husband, son, brother, grandfather, uncle, or other male relative) to move freely in the country. The government prohibited women from driving motor vehicles. On July 16, authorities arrested women's rights activist Aliya al-Fareed in the town of Safwa in al-Qatif governorate in Eastern Province for driving without a license. Despite her husband refusal to sign a pledge to prevent her from engaging in similar activity in the future, traffic police released al-Fareed the same day and fined her 1,110 riyal (\$295).

In October 2013 between 41 and 80 women reportedly drove in a number of cities throughout the country in defiance of the prohibitions on women driving despite an October 2013 Ministry of Interior statement authorities would punish violators of the law. In October 2013 police stopped between 15 and 20 women for driving; authorities fined each 300 riyal (\$80). Police required each woman driver and her male guardian to pledge to "respect the kingdom's laws" before releasing them. In contrast to October 2013, when up to 20 women were stopped for driving, instances of such violations were rare during the year. On the eve of the October 2013 protest first anniversary, the Ministry of Interior issued a warning for women not to engage in a similar campaign.

On December 1, authorities detained Loujain al-Hathloul at a Saudi-United Arab Emirates (UAE) border crossing. Al-Hathloul, who possessed a Gulf Cooperation Council driver license issued in the UAE, drove herself to the crossing. Authorities later arrested Maysaa Alamoudi, a UAE-based Saudi journalist and supporter of al-Hathloul, when Alamoudi drove herself onto Saudi territory to bring food to al-Hathloul. On December 13, al-Hathloul's family announced that authorities told them she would be held for another 25 days. In late December the local criminal court in al-Ahsa dismissed charges against al-Hathloul and Alamoudi and indicated that their cases would be transferred to the SCC, a court that has previously tried activists.

Foreign Travel: There are severe 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 under the age of 45, minors (men younger than 21), and other dependents or foreign citizen workers under sponsorship require a male guardian's consent to travel abroad. A noncitizen wife needs permission from her husband to travel unless both partners sign a prenuptial

agreement permitting the noncitizen wife to travel without the husband's permission. Government entities and male family members can "blacklist" women and minor children, prohibiting their travel. The male guardian is legally able in custody disputes to prevent even adult children from leaving the country.

In 2012 the Ministry of Interior began allowing male citizens to use the ministry's website to register electronic travel permits for their dependents and sponsored workers. Previously, applicants could request travel permits only from branches of the Directorate of Passports, and dependents had to present the permits to passport officers upon exiting the country. As part of the new internet-based system, authorities notify all registrants by text message to their cell phone whenever a dependent or sponsored foreign citizen worker exits or enters the country; however, in January the Directorate of Passports suspended operation of the system. As of year's end, whether the government would reactivate it was not known.

Employers or sponsors controlled the departure of foreign workers and residents from the country; employers/sponsors were responsible for processing residence permits and exit visas on their behalf. Sponsors frequently held their employees' passports against the desires of the employees, despite a law specifically prohibiting this practice. Typically, foreign workers provide sponsors with their residence permit (iqama) before traveling in exchange for their passport to ensure the worker's return to their employer after their travel. The government continued to impose international 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.

During the year the government banned at least 15 individuals engaged in human rights activism or political activities from foreign travel, in addition to hundreds of other travel bans promulgated by the courts. These included Shia cleric Tawfiq al-Aamer, human rights lawyer Waleed Abu al-Khair, and activists Umar al-Sa'id and Mohammad al-Otaibi. Judges routinely sentenced human rights activists, such as Ra'if Badawi and Fadhil al-Manasif, to lengthy foreign travel bans to take effect upon completion of their prison terms. In June a justice ministry report said 13 courts had issued 715 travel ban sentences since the beginning of 2013. Reportedly, most travel bans involved individuals in court cases relating to financial and real estate disputes.

## **Protection of Refugees**

Access to Asylum: The law provides that the “state will grant political asylum if public interest so dictates.” There are no regulations 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 resettlement from third countries. Government policy is not to grant refugee status to persons in the country illegally, including those 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. As of October, 559 refugees registered with the UNHR, and 99 individuals applied for asylum during the year. The majority of asylum seekers were Iraqi and Syrian nationals, with smaller numbers of Eritreans.

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

Access to Basic Services: The government reserves for citizens only access to education, health care, public housing, courts and judicial procedures, legal services, and other social services. The UNHCR office in Riyadh provided a subsistence allowance covering basic services to a limited number of vulnerable families based on a needs assessment. In July the Ministry of Foreign Affairs announced Syrian nationals in the kingdom who overstayed their visas as a result of the conflict in Syria would have the right to work despite their lack of formal residency status. The policy paper also announced Syrian nationals in these circumstances would have access to government-run medical facilities and school age children would have access to government-run schools. The UNHCR worked with the government to refer Syrians to government authorities for medical treatment following a needs assessment.

### **Stateless Persons**

The country had a significant number of habitual residents who are legally stateless, but data on the stateless population were incomplete and scarce.

Legally, citizenship is derived from the father, but several scenarios lead to stateless children: 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; when identification documents are withdrawn from a parent, the child also loses legal identification and accompanying rights (possible when a



naturalized parent denaturalizes voluntarily or loses citizenship through other acts); children of a citizen mother and a noncitizen father are without nationality, unless they acquire citizenship from the father; and children of a citizen father and a noncitizen mother are noncitizens, unless the government has authorized the marriage of the parents prior to birth. Additionally, when government authorities withdraw a citizen's NIC, his or her children also lose their citizenship (see section 6, Children).

In September 2013 the government clarified regulations governing the status of non-Saudi men married to Saudi women. Male spouses of female citizens are entitled to permanent residency in the kingdom without needing a sponsor, and they receive free government education and medical benefits. These spouses also are entitled to count towards the "Nitaqaat" or Saudization percentage in the private sector, which improves their employment prospects. Non-Saudi wives of Saudi men in the kingdom receive more rights if they have children resulting from their marriage with a Saudi man than if they do not.

The UNHCR unofficially estimated there were 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" [citizenship]).

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 are unable to obtain passports or travel abroad. The government sometimes 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 issues 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. Additionally, in August the General Directorate of Passports began to issue special identity cards to bidoon similar to residency permits issued to foreigners in the country but with features entitling their holders to additional government services similar to those available to Saudi nationals.

There were also some Baloch, West Africans, and Rohingya Muslims from Burma; however, only a portion of these communities was stateless. For example, many Rohingya had expired passports their home government refused to renew. The

UNHCR estimated there were between 250,000 to 500,000 Rohingya in the kingdom; some of these individuals benefited from a program to correct their residency status during the year; the government issued approximately 200,000 four-year residency permits by year's end. Only an estimated 2,000 individuals of Rohingya origin had Saudi citizenship. There also were between 300,000 and 400,000 Palestinian residents not registered as refugees, as well as between 750,000 and one million Syrian nationals in the kingdom, although most of these arrived prior to the 2011 outbreak of the conflict in Syria.

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

The law does not provide citizens the ability to change their government peacefully and establishes an absolute monarchy led by the Al Saud family as the political system. The law provides citizens the right to communicate with public authorities on any matter and establishes the government on the principle of consultation (shura). The king and senior officials, including ministers and regional governors, are required to be available by holding meetings (majlis), open-door events where in theory any male citizen or noncitizen may express an opinion or a grievance without the need for an appointment. Most government ministries and agencies had women's sections to interact with female citizens and noncitizens, and at least two regional governorates hired female employees to receive women's petitions and arrange meetings for women with complaints for, or requests of, the governor. 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 up to 35 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 16, the Ministry of Municipal and Rural Affairs issued a decision extending the term of the current municipal councils, elected in 2011, by two years. The current elected councils were scheduled to end their terms on September 2, 2015, but now are expected to continue until September 2017. In 2011, 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. Uniformed members of the security forces, including the

military and police, were ineligible to vote. 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 to explain why women were not allowed to vote or run for office.

More than 1,700 lawyers from the National Committee of Lawyers monitored the elections nationally, and the organization assessed the elections were fair and transparent. The NSHR, however, refused to observe the elections, protesting women's ineligibility to vote or seek election. Election regulations prohibited candidates from contesting under party affiliation.

Political Parties and Political Participation: There were no political parties or similar associations. The law does not protect the right of individuals to organize politically. The new CT law, issued in February, explicitly banned a number of organizations that also have political wings, including the Muslim Brotherhood, as regional and local terrorist groups. The government continued to regard human rights organizations, such as ACPRA, as illegal political movements and treated them accordingly.

In April the government-controlled press cited plans by the Ministry of Justice to exclude lawyers from practicing law if they proved to be members of organizations and parties that "incriminated" the government. The statute governing the practice of the legal profession in the kingdom states authorities may terminate a lawyer's license if a court sentenced the lawyer for a "dishonorable or dishonest crime."

Participation of Women and Minorities: Discrimination excluded women from many aspects of public life, including from formal decision-making positions. Nevertheless, women increasingly participated in political life, albeit with significantly less status than men. In January 2013 the king issued a royal decree changing the governance of the Consultative Council, the 150-person royally appointed body that advises the king and can propose laws. The changes mandate women constitute no less than 20 percent of the membership of the Consultative Council. In accordance with the law, the council inducted 30 women as full members in February 2013.

On February 18, the Ministry of Municipal and Rural Affairs announced in its regulations governing the next municipal council elections women will have the right to contest the elections "without discrimination," reaffirming a 2011 decree by the king.

There were no women on the High Court or Supreme Judicial Council; women's ability to practice law is severely limited. There were no women judges or public prosecutors. The government continued to issue licenses to Saudi female lawyers. In June the Ministry of Justice granted licenses to 20 Saudi women, which allowed them to practice law and represent clients in court, in addition to four women granted licenses in October 2013. The ministry also granted 10 women "trainee lawyer" licenses, which will allow them to obtain a full license after the required three years of legal experience.

There were two women in senior-level government positions, as deputy minister for women's education and general supervisor for women's higher education, in addition to senior advisors in multiple ministries. The country had an increasing number of female diplomats. Bureaucratic procedures largely restricted women working in the security services to employment in female prisons, at women's universities, and in clerical positions in police stations where they were responsible for visually identifying other women for law enforcement purposes.

No laws prevent male minorities from participating in political life on the same basis as other male citizens. Societal discrimination marginalized the Shia population. Tribal factors and longstanding traditions continued to dictate many individual appointments to positions. Unofficially, government authorities will not appoint a Bedouin tribesman to a high-ranking cabinet-level position, and Bedouins can only reach the rank of major general in the armed forces. All members of the cabinet who were tribal were not members of Bedouin tribes but urbanized "Hamael" tribes. Exceptions are sometimes made when a person marries into the Al Saud family. While the religious affiliation of Consultative Council members was not known publicly, the council included an estimated seven or eight Shia members. In contrast to previous years, the cabinet contained one religious minority member. On June 28, the king appointed Mohammad bin Faisal Abu Saq, a Shiite, as minister of state and member of the cabinet for consultative council affairs. Multiple municipal councils in the Eastern Province, where most Shia are concentrated, had large proportions of Shia as members to reflect the local population, including a majority in Qatif and 50 percent in al-Hasa. Eastern Province Shia judges dealing with intra-Shia personal status and family laws operated specialized courts during the year.

Additionally, according to Eastern Province observers, in areas populated by Sunni and Shia, since the government appoints half of the seats on municipal councils, it frequently appointed members of either sect to councils to ensure equitable sectarian representation.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption. The government did not implement the law effectively, some officials engaged in corrupt practices with impunity, and perceptions of corruption persisted in some sectors.

Government employees who accept bribes face 10 years in prison or fines up to one million riyals (\$267,000). The National Anticorruption Commission (Nazaha), established by the king in 2011, was responsible for promoting transparency and combating all forms of financial and administrative corruption. The government resourced the commission adequately; it issued numerous publications and undertook awareness campaigns on the religious necessity to combat corruption, both governmental and business. The commission's ministerial-level director reported directly to the king. In January the Nazaha reported it had investigated and followed up on 10,479 reports of graft and financial irregularities and 2,620 cases of corruption during 2013. During the year the commission actively campaigned against corruption and had a hotline for reporting such abuses. The CIB, however, remains responsible for investigating financial malfeasance, and the BIP has the lead on all criminal investigations. In November the Nazaha issued a report criticizing cabinet ministers and top government officials for impeding the commission's work and not cooperating with corruption investigations; however, the report did not specifically name any officials. The Human Rights Council also responded to and researched complaints of corruption. Provincial governors and other members of the royal family paid compensation to victims of corruption during weekly majlis meetings where citizens raised complaints.

Corruption: On August 27, the National Anticorruption Commission (Nazaha) announced it had completed an investigation of allegations the director of the urban planning department at the Eastern Province municipality accepted 6.3 million riyals (\$1.7 million) in bribes, in cooperation with other corrupt officials from the municipality. The official requested financial kickbacks in exchange for the municipality approving acquisition and rezoning plots of land. At year's end, however, it was not clear whether authorities had officially reprimanded the official or brought a lawsuit against him.

On October 19, the Jeddah Administration Court convicted two former officials of the Jeddah municipal government of misuse of position in a case related to the 2009-10 Jeddah floods. The two former employees allegedly accepted bribes for making certain decisions relating to planning for a floodwater drainage system in a

residential area. The court sentenced one official to six months in jail, while the second received a four-year prison term.

Financial Disclosure: Public officials were not subject to financial disclosure laws.

Public Access to Information: 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 government did not allow international human rights NGOs to be based in the country but allowed representatives to visit on a limited basis. There were no transparent standards governing visits by international NGO representatives. The law provides that “the State shall protect human rights in accordance with the Islamic sharia”; the government restricted the activities of domestic and international human rights organizations.

The government often cooperated with and sometimes accepted the recommendations of the NSHR, the sole government-licensed domestic human rights organization. The NSHR accepted requests for assistance and complaints about government actions affecting human rights.

The government viewed unlicensed human rights groups with suspicion, frequently blocking their websites and charging their founders with founding and operating an unlicensed organization. ACPRA applied for a license in 2008, which was not granted; however, the government allowed its unlicensed operation. Since the group was formally “unlicensed,” it remained unclear which activities the group could undertake without risking punishment. Without a license the group was unable to raise operating funds legally, which limited its activities, and a March 2013 court order ordered disestablishment of the group and confiscation of its assets. Following the issuance of the new CT law in March, the Adala Center for Human Rights (a human rights NGO based in Eastern Province), announced that it would cease operations (see section 2.b.).

The Human Rights Commission stated the government welcomed visits by legitimate, unbiased human rights groups, but added the government could not act on the “hundreds of requests,” in part because it was cumbersome to decide which domestic agencies would be their interlocutor.

On September 9, the SCC of Appeals upheld the sentence by a lower-court judge at the SCC on April 17, sentencing Fadhil bin Mekki al-Manasif to a 15-year prison term, a subsequent 15-year foreign travel ban, and a 100,000 riyal (\$26,600) fine. Subsequently, the SCC of Appeals reduced al-Manasif's sentence and travel ban to 14 years. During al-Manasif's conviction hearing in April, the presiding judge ruled that following a 2009 amnesty granted by King Abdullah to Shia activists, al-Manasif's "repeated failure to abide by earlier promises" not to engage in activism invalidated the earlier amnesty and left him open to prosecution based on his earlier acts. The Board of Investigation and Prosecution originally charged al-Manasif with five offenses related to human rights work including "participation in the formation of the illicit organization 'the Human Rights Activists' Network," a related Eastern Province human rights group; however, he was not found guilty of assaulting two security vehicles during a 2011 demonstration in the Eastern Province. As of year's end, al-Manasif remained in detention.

During the year nine of the original 11 founders of ACPRA remained imprisoned as a result of their participation in the founding of the organization. On May 22, the Buraidah Criminal Court forwarded the case of ACPRA founder Abdulkarim al-Khedhr to the SCC for further prosecution. In June 2013 the Buraidah Criminal Court sentenced al-Khedhr to an eight-year prison term (of which three years took immediate effect) and conditioned the remaining five years on a pledge not to engage in activism.

On June 25, the Riyadh Criminal Court sentenced ACPRA founder Fawzan al-Harbi to a seven-year prison term for his role in the organization and for his criticism of government policies and senior officials. On November 19, despite not being apprehended immediately after the conclusion of the original trial in June, authorities detained al-Harbi after the Riyadh Criminal Court of Appeals recommended he be detained and his sentence be increased to 10 years. The court's justification for the increased sentence was that al-Harbi had published court documents relating to his original case.

The courts had already convicted five other individuals affiliated with the organization. These include Mohammed al-Bajady (sentenced in 2012 to a four-year prison term) and Suleiman al-Rashoodi (sentenced in 2011 and detained in 2012 to serve a 15-year prison sentence). In March 2013 at the conclusion of the trial of Mohammed al-Qahtani and Abdullah al-Hamid, the Riyadh Criminal Court ordered the immediate dissolution of ACPRA along with the confiscation of its

assets and the closure of its website and social media accounts. The court sentenced Al-Qahtani and al-Hamid to 11- and 10-year prison terms respectively.

In December 2013 the Buraidah Criminal Court sentenced ACPRA member Omar al-Saeed to a four-year prison term and three hundred lashes. The court forwarded Al-Saeed's case to the SCC for further prosecution and, as of year's end, was awaiting retrial. One other ACPRA activist remained in detention in al-Ha'ir prison awaiting trial. In June 2013 the BIP pressed charges against ACPRA member Saleh al-Ashwan, and a judge referred his case to the Riyadh Criminal Court.

Three other ACPRA members remained under investigation during the year or had charges brought against them, and authorities forced at least three others to sign statements repudiating the organization to avoid investigation and detention.

Government Human Rights Bodies: The HRC is part of the government and requires the permission of the Ministry of Foreign Affairs before meeting with diplomats, academics, or researchers with international human rights organizations. 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 well-resourced HRC was effective in highlighting problems and registering and responding to complaints received, but its capacity to effect change was more limited. 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. During the year the HRC and NSHR were more outspoken in areas deemed less politically sensitive, including child abuse, child marriage, prison conditions, and cases of individuals detained beyond their prescribed prison sentences. They avoided topics such as protests or cases of political activists or reformists that would require directly confronting government authorities. The HRC board's 19 full-time members included at least three Shia; they received and responded to complaints submitted to them by their constituencies, including issues related to religious freedom and women's rights. The Consultative Council's Human Rights Committee also actively followed cases and included women and Shia among its members; a woman served as deputy chairperson of the committee.

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



The law prohibits discrimination based on race but not gender, sex, disability, language, sexual orientation and gender identity, or social status. The law and tradition discriminate based on gender. The law and the guardianship system restrict women to the status of legal dependents vis-a-vis their male guardians. This status is unchanged even after women reach adulthood. Women and some men faced widespread and state-enforced segregation based on societal, cultural, and religious traditions.

The government generally reinforced sharia-based traditional prohibitions on discrimination based on disability, language, social status, or race. Nevertheless, discrimination based on race, lineage, or social status were common.

## **Women**

Rape and Domestic Violence: Rape is a criminal offense under sharia with a wide range of penalties from flogging to execution. The government enforced the law based on its interpretation of sharia, and courts punished victims as well as perpetrators for illegal “mixing of genders,” even when there was no conviction for rape. Consequently, due to the legal and social penalties, authorities brought few cases to trial. The law does not recognize spousal rape as a crime. 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 societal reprisal, diminished marriage opportunities, criminal sanction up to imprisonment, or accusations of adultery. The National Family Safety Program, a private charity organization founded in 2005 to spread awareness and combat domestic violence and child abuse, continued to report abuse cases.

In August 2013 the Council of Ministers announced the adoption of a law against domestic abuse, which defines domestic abuse and provides a framework for the government to prevent and protect victims of abuse. The law criminalizes domestic abuse with penalties of one month to one year of imprisonment or a fine of between 5,000 and 50,000 riyals (\$1,330 to \$13,330) unless a court provides a harsher sentence.

Researchers stated domestic violence might be seriously underreported, making it difficult to gauge the magnitude of the problem, which they believed to be widespread. Independent estimates supported by officials working at the Ministry of Social Affairs indicated the incidence of female spousal abuse ranged widely,

from 16 to 50 percent of all wives. Officials stated the government did not clearly define domestic violence and procedures concerning cases, and thus enforcement, varied from one government body to another. The NSHR's 2013 annual report noted the organization investigated 360 cases of domestic violence and violations of women's rights, compared with 338 such cases in 2012. Violence included a broad spectrum of abuse. There were reports of police or judges returning women directly to their abusers, most of whom were the women's legal guardians. The government made efforts to combat domestic violence and, during the year, 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. The HRC received complaints of domestic abuse and referred these complaints to other government offices. The HRC advised complainants and offered legal assistance to some female litigants. The organization provided facilities for children of women complainants and litigants, and it distributed publications supporting women's rights in education, health care, development, and the workplace.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was not a common practice in the country, particularly among the Saudi population, as the official government interpretation of sharia prohibits the practice.

Other Harmful Traditional Practices: There were no known deaths involving dowry, honor killings, or other harmful practices targeted at women during the year.

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 in many sectors maintained separate male and female workspaces where feasible, in accordance with law.

In January a court in Mecca sentenced a Saudi man to 20 lashes for mentally abusing his wife by accusing her of not being a virgin prior to their marriage without providing any proof to substantiate the accusation. The government's interpretation of sharia criminalizes false accusations of adultery.

Reproductive Rights: There were no reports of government interference in a couple's right to decide freely and responsibly the number, spacing, and timing of

children and to have the information and means to do so, and the right to attain the highest standard of reproductive health free from discrimination, coercion, and violence. Prenatal care, essential obstetric care, and postpartum care were available, but patients were not always aware of its availability, and medical staff did not always emphasize its importance. Intrauterine devices were the most popular form of birth control, 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, constraints on mobility and economic resources as well as social pressure for large families limited many women. 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 fewer political or social rights than men, and society treats them as unequal members in the political and social spheres. The country's interpretation of sharia prohibits women from marrying non-Muslims, but men may marry Christians and Jews. Women require government permission to marry noncitizens; men must be more than 25 years old to marry a foreigner and must obtain government permission if they intend to marry noncitizens from countries other than Gulf Cooperation Council member states (Bahrain, Kuwait, Oman, Qatar, and the United Arab Emirates). Regulations prohibited men from marrying women from Pakistan, Bangladesh, Chad, and Burma. Additionally, the government required Saudi men wishing to marry a second wife, who is a foreigner, to submit documentation attesting to the fact that his first wife is either disabled, suffering from a chronic disease, or is sterile. Women do not directly transmit citizenship to their children.

The guardianship system requires that every woman have a close male relative as her "guardian" with the legal authority to approve her travel outside of the country. 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. Women can work without their guardian's permission; however, most employers required women to have such permission. 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. The law does not require equal pay for equal work (see section 7.d.).

Widespread societal exclusion enforced by, but not limited to, state institutions restricted women from using many public facilities. The law requires women usually to sit in separate, specially designated family sections. They frequently cannot consume food in restaurants that do not have such sections. Women risk arrest for riding in a private vehicle driven by a male who is not an employee (such as a hired chauffeur or taxi driver) or a close male relative. Cultural norms enforced by state institutions require women to wear an abaya (a loose-fitting, full-length black cloak) in public. The CPVPV also generally expected Muslim women to cover their hair and non-Muslim women from Asian and African countries to comply more fully with local customs of dress than non-Muslim Western women. In some rural areas and smaller cities, women adhered to the traditional dress code covering the entire body, including hands, feet, hair, and face.

Women also faced discrimination in courts, where the testimony of one man equals that of two women. All judges are male, and women faced restriction on their practice of law. In divorce proceedings women must demonstrate legally specified grounds for divorce, but men can divorce without giving cause. In doing so, men must pay immediately an amount of money agreed at the time of the marriage that serves as a one-time alimony payment; however, men can be forced to make subsequent alimony payments by court order. The government began implementing an identification system based on fingerprints designed to provide women more reliable access to courts. The previous system required women to present themselves at court in the presence of a male relative to prove their identity if they declined to unveil their faces.

Women faced discrimination under family law. For example, a woman needs a guardian's permission to marry or must seek a court order in the case of *adhl* (male guardians refusing to approve the marriage of women under their charge). In such *adhl* cases, the judge assumes the role of the guardian and can approve the marriage. An August report by the Ministry of Justice said courts received 622 cases of *adhl* between 2012 and this year.

Courts award custody of children when they attain 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. Inheritance laws also discriminate against women, since daughters receive half the inheritance awarded to their brothers.

According to recent surveys, women constituted more than half of university students; however, segregated education through university level was the norm.

The only 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. Other universities, such as al-Faisal University in Riyadh, offered partially segregated classes with students receiving instruction from the same teacher and able to participate together in class discussion, but with the women and men physically separated by dividers.

The Ministry of Labor explicitly approves and encourages the employment of women in specific sectors, particularly in government.

In 2012 the Ministry of Labor announced implementation of regulations requiring all stores selling women's undergarments and cosmetics to be staffed solely by women. As of year's end, however, the government had not universally applied the regulations, either in urban neighborhoods habituated by foreign noncitizen workers or outside major cities. The regulations also ban women from 20 professions, mostly in heavy industry, but create guidelines for women to telework. Nevertheless, some factories and manufacturing facilities, particularly in the Eastern Province, employed men and women who worked separate shifts during different hours of the day. Women worked in the judicial offices of the Board of Grievances across the country answering inquiries, registering cases, delivering copies of verdicts, and checking the identity of female clients. A 2013 report by the Central Department of Statistics and Information estimated Saudi women constituted 9.2 percent of the workforce in the kingdom versus 37.4 percent for Saudi males. The same report estimated that women constituted 14.7 percent of those employed in the kingdom. The vast majority of the 1.4 million women working in the kingdom were foreign laborers with significant additional restrictions on their rights. There were cases during the year of women workers fleeing their sponsors because of reported abuse.

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

## Children

Birth Registration: Citizenship derives from the father, and only the father can register a birth. There were cases of authorities denying children of citizen parents public services, including education and health care, because the government failed independently to register the birth entirely or immediately, sometimes due to the failure of the father to report the birth (see section 2.d. Stateless Persons).

Child Abuse: Abuse of children occurred. In 2013 the NSHR registered 112 instances of violence against children, according to its annual report, compared with 79 instances in 2012. In September a study released by the Ministry of Social Affairs estimated 45 percent of children in the kingdom were victims of domestic abuse.

Early and Forced Marriage: There were reports during the year of child marriage; it was almost entirely limited to rural areas. Senior government officials, including officials from the governmental HRC and the quasigovernmental NSHR, spoke out against the practice and advocated the adoption of a minimum marriage age. 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 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, and took steps to prevent them from being consummated. Media reports quoted judges as saying the majority of child marriage cases in the country involved Syrian girls, followed by smaller numbers of Egyptians and Yemenis. The application for a marriage license must record the bride's age, and registration of the marriage is a legal prerequisite for consummation. The government reportedly instructed marriage registrars not to register marriages involving children. In June the NSHR branch in Taif reported it prevented two marriages during the year between men and girls under the age of 18.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was not a common practice for children in the country, particularly among the Saudi population, as the official government interpretation of sharia law prohibits the practice.

Sexual Exploitation of Children: The Anti-Cyber Crimes Law stipulates punishment for crimes including the preparation, publication, and promotion of material for pornographic sites may be no less than two and one-half years'

imprisonment or 1.5 million riyals (\$400,000) if the crime includes the exploitation of minors. The law does not define a minimum age for consensual sex.

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 the Department of State's report at [travel.state.gov/content/childabduction/english/country/saudi-arabia.html](http://travel.state.gov/content/childabduction/english/country/saudi-arabia.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. Cases of government-employed imams using anti-Jewish, anti-Christian, or anti-Shia language in their sermons were rare and occurred without authorization by government authorities. The law requires government-employed imams to give all sermons delivered in mosques in the country. They must deliver sermons vetted and cleared by the Ministry of Islamic Affairs. Unauthorized imams continued to employ intolerant views 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 "Tatweer" project to revise textbooks, curricula, and teaching methods to promote tolerance and remove content disparaging religions other than Islam began in 2007. As of the end of 2013, the program had benefitted from more than 11 billion riyals (\$2.9 billion) in spending to revise the curriculum. Also as of the end of 2013, the government had developed new curricula and textbooks for at least grades four through 10; however, despite these efforts some intolerant material remained in textbooks used in schools.

Editorial cartoons exhibited anti-Semitism characterized by stereotypical images of Jews along with Jewish symbols, particularly at times of heightened political tension with Israel. Anti-Semitic comments by journalists, academics, and clerics appeared in the media.

## Trafficking in Persons

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

## Persons with Disabilities

The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services or other areas. The law does not require public accessibility to buildings, information, and communications. Newer commercial buildings often included such access, as did some newer government buildings. Children with disabilities could attend government-supported schools. 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 widely available. Persons with disabilities could participate in civic affairs, and there are no restrictions on men with disabilities from voting in Municipal Council elections. In 2013 the HRC appointed four subject-matter experts to work as advocates for persons with disabilities in the kingdom and to respond to complaints of discrimination; their work expanded during the year to include participation in international conferences on discrimination against persons with disabilities. The Prince Salman Center for Disability Research, a nonprofit research foundation, continued to conduct laboratory and field research on a range of disability and quality of life issues. 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 minorities was a problem. There was also discrimination based on tribal or nontribal lineage. Descendants of former slaves in the country, who have African lineage, faced discrimination in both employment and society. There was formal and informal discrimination, especially racial discrimination against foreign workers from Africa and Asia. The tolerance campaign of the King Abdulaziz Center for National Dialogue sought to address



some of these problems, and it provided training during the year to combat discrimination against national, racial, or ethnic groups.

There were numerous cases of assault on foreign workers and reports of widespread worker abuse. The Shia minority continued to suffer social, legal, economic, and political discrimination. To address the problem, in recent years the ministries of defense and interior and the National Guard held antidiscrimination training courses run by the King Abdulaziz Center for National Dialogue for police and other law enforcement officers.

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

Under sharia as interpreted in the country, consensual same-sex sexual conduct is punishable by death or flogging, depending on the perceived seriousness of the case. It is illegal for men “to behave like women” or to wear women’s clothes, and vice versa. Due to social conventions and potential persecution, lesbian, gay, bisexual, and transgender (LGBT) organizations did not operate openly, nor were there gay rights advocacy events of any kind. There were reports of official societal discrimination, physical violence, and harassment based on sexual orientation or gender identity in employment, housing, statelessness, access to education, or health care. Stigma or intimidation was likely to limit reports of incidents of abuse. Sexual orientation and gender identity could constitute the basis for harassment, blackmail, or other actions.

There were no government efforts to address potential discrimination. In March Abdullatif Al al-Sheikh, president of the CPVPV, stated the CPVPV regularly used undercover agents to identify and arrest the owners of social media accounts that distributed pornographic content or served as social networking tools for LGBT persons in the kingdom.

In April local authorities and the CPVPV raided a concert in a rest house in Jeddah and arrested 35 gay men, some of whom were dressed in women’s clothing. In July the Medina Criminal Court sentenced a 24-year old man to three years in prison and 450 lashes for soliciting sex with other men using Twitter.

### **HIV and AIDS Social Stigma**

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 who tested positive 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.

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

Societal violence and discrimination against the country's Shia minority continued. On November 3, gunmen killed seven Shia at a Husseiniya, a Shia religious community center, in the Eastern Province village of al-Dawlah. The attack occurred during Ashura, which commemorates the seventh-century death of Imam Hussein. On November 4, two suspects and two police officers were killed during a security operation in Buraida. Government security forces responded quickly and arrested 77 suspects associated with the incident. As of year's end government officials and the public widely condemned the attack.

## **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 does not provide for the right to collective bargaining or the right to conduct legal strikes. The law does not prohibit antiunion discrimination or require reinstatement of workers fired for union activity.

There are no labor unions in the country, and workers faced potential dismissal, imprisonment, or, in the case of migrant workers, deportation for union activities. The Commission for the Settlement of Labor Disputes under the Ministry of Labor investigates labor-related complaints by private individuals against officials responsible for enforcement of the laws.

The government allowed citizen-only labor committees in workplaces with more than 100 employees, but it placed undue limitations on freedom of association and was heavily involved in the formation and activities of these committees. For example, the Ministry of Labor approves the committee members and authorizes ministry and employer representatives to attend committee meetings. Committee members must submit the minutes of the meetings to management and then transmit them to the minister; the ministry can dissolve committees if they violate regulations or are deemed to threaten public security. Regulations limit

committees to making recommendations to company management regarding only improvements to working conditions, health and safety, productivity, and training programs. In its 2013 annual report, the NSHR registered 269 labor-related complaints.

The government did not respect freedom of association and the right to collective bargaining.

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

The law prohibits forced or compulsory labor; however, the government did not effectively enforce legal protections for migrant workers. Forced labor occurred, especially among migrant workers, notably domestic servants, and children. Conditions indicative of forced labor experienced by foreign workers included withholding of passports, nonpayment of wages, restrictions on movement, and verbal, physical, and sexual abuse. Violations of labor laws resulted in fines and restrictions on the ability to recruit foreign workers. Many noncitizen workers, particularly domestic employees, were not able to exercise their right to end their contractual work. Restrictive sponsorship laws increased workers' vulnerability to forced labor conditions and made many foreign workers reluctant to report abuse.

Throughout the year the government strictly implemented measures to limit the number of illegal noncitizen workers in the kingdom, although to a far lesser extent than in 2013. Between November 2013 and March, an estimated 1.5 million workers either self-deported or were forcibly deported. The government also penalized Hajj tourist agencies that engaged in human trafficking and Saudi companies that abused the country's visa laws to bring individuals into the country for reasons other than to employ them directly. The government campaign between April and November 2013 to correct the legal status of noncitizen laborers by transferring their sponsorship or deporting them resulted in many noncitizen workers leaving the country by the end of 2013. Many individuals either left their legal sponsors' employment or stayed on after expiration of their work visas and residence permits. A smaller number came as religious pilgrims and overstayed their visas. As a consequence of their illegal status, many persons in the country illegally were susceptible to forced labor, substandard wages, and deportation by authorities.

In November 2013 after authorities announced the end of an amnesty period for foreign workers illegally in the kingdom to correct their status or depart the country, security forces resumed arrests of undocumented noncitizen workers. In

August the Ministry of Interior reported it detained an average of 22,000 “illegal migrants” per month between February and August. The report also stated authorities deported 614,262 such migrants during the year. In February, HRW reported government authorities deported 12,000 workers between January and February. An unknown number of deported laborers returned to their countries of origin destitute, and some complained of abuse and poor treatment by authorities or fellow detainees during the deportation process.

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

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

The law states no person younger than 15 years old may legally work unless that person is the sole source of support for the family. Children between 13 and 15 may work if the job is not harmful to health or growth and does not interfere with schooling. The law states hazardous operations or harmful industries may not employ legal minors; children under 18 may not be employed for shifts exceeding six hours a day. 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.

The HRC and the NSHR are responsible for monitoring enforcement of the child labor laws. There was little information on government efforts to enforce relevant laws or actions to prevent or eliminate child labor during the year. The most common enforcement of the law was response to complaints of children begging on the streets.

Child labor occurred, most commonly in the form of children, usually from other countries including Yemen and Ethiopia, forced into child-begging rings, street vending, and work in family businesses. Although in previous years there were reports of foreign domestic workers younger than 18 (some of whom reportedly traveled to the country with forged documents), such abuses could not be confirmed during the year.

### **d. Discrimination with Respect to Employment or Occupation**

Labor laws and regulations did not prohibit discrimination on the basis of sex, gender identity, disability, language, or sexual orientation. Discrimination with respect to employment and occupation occurred with respect to all these

categories. Women faced many discriminatory regulations, limiting the work they were allowed to do. There is no regulation requiring equal pay for equal work (see section 6).

Discrimination with respect to religious beliefs occurred. Members of the Shia community complained they were discriminated against based on their religion and had difficulty securing or being promoted in government positions.

Discrimination against Asian and African migrant workers occurred (see section 6). Government policies designed to increase the number of citizens in the workforce intentionally raised the costs of hiring migrant workers, and made it more difficult for them to find work.

Informal discrimination in employment and occupation occurred on the basis of sex, gender, race, religion, and sexual orientation/gender identity.

#### **e. Acceptable Conditions of Work**

The monthly minimum wage for public-sector employees was 3,000 riyals (\$800). There was no private-sector minimum wage for foreign workers; however, the government's Nitaqaat (Saudization) program set a general minimum private-sector wage for citizens at 3,000 riyals (\$800) per month. In April a Ministry of Labor report stated there were more than 1.9 million small firms in the country that did not pay the proposed minimum wage.

The Commission for the Settlement of Labor Disputes actively prosecuted cases against employers of citizens, with most outcomes favoring the employee. Prosecution of employers of noncitizens occurred with less frequency, and most verdicts reportedly favored the employer. Labor regulations ostensibly apply to all workers in the public and private sector other than domestic servants (covered by a separate law). The regulations provide for a 48-hour standard workweek at regular pay, a weekly 24-hour rest period (normally on Fridays, although the employer may grant it on another day), and time-and-a-half pay for overtime, with a maximum of 12 additional hours per week. The regulations do not distinguish between different types of employment. The law's provisions were not enforced.

In August 2013 the Council of Ministers approved regulations to govern the work relationship between employers and domestic workers, including the creation of a dispute mechanism to settle financial claims. Under these regulations the employer and the employee must have a written agreement outlining the worker's

duties and rights that would then be subjected to legal action should either party fail to uphold the contract. If an employer commits a violation, the punishment could include a one-year recruitment ban, a 2,000 riyal (\$530) fine, or both, with increasing penalties for repeat offenses. Domestic workers violating their contract could be assessed a similar fine and be prohibited from working in the kingdom.

In 2012 the Ministry of Labor announced the creation of 1,000 additional labor inspector positions to investigate labor law violations and, as of this year, approximately all of the new inspectors had been hired. Of the new inspectors, 40 percent were women. The law penalizes individuals between 500 riyals (\$133) and 1,000 riyals (\$267) for bringing foreigners into the country to work in any service, including domestic service, without following the required procedures and obtaining a permit. Local press reports indicated Ministry of Labor inspectors found more than 62,000 violations of labor law through September.

The labor law provides for regular 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 Ministry of Labor on health and safety matters. Regulations require employers to protect some workers from job-related hazards and disease, although some violations occurred. These regulations did not cover farmers, herdsmen, domestic servants, or workers in family-operated businesses. Foreign nationals privately reported frequent failures to enforce health and safety standards.

The law requires that a citizen or business sponsor most foreign workers to obtain legal work and residency status, although the requirement exempted Syrian nationals who overstayed their visas. During the six-month "grace period" from April to November 2013, noncitizen workers could change their workplace and sponsorship without their previous sponsor's permission. Previously, the government also lifted restrictions to allow noncitizen workers to switch from their current employers to employers or companies that employed a sufficient quota of Saudi nationals. Despite these revised restrictions, some workers remained uninformed of the changed regulations and had to stay with their current sponsor until fulfillment of the contract or seek the assistance of their embassy to return home. There were also instances in which sponsors bringing noncitizen workers into the country failed to provide them with a residency permit, which undermined their ability to access government services or navigate the court system in the event of grievances. Sponsors with commercial or labor disputes with foreign employees

also could ask authorities to prohibit the employees from departing the country until the dispute was resolved.

The Migrant Workers' Welfare Department of the Ministry of Labor is responsible for addressing cases of abuse and exploitation of migrant workers. Noncitizen workers were able to submit complaints and seek help in 37 offices throughout the country, although the government was generally unresponsive. 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.

Bilateral labor agreements set conditions on foreign workers' minimum wage, housing, benefits including leave and medical care, and other topics. These provisions were not necessarily drafted with reference to international standards, and they varied depending on the sending country's relative bargaining leverage. The labor law and the 2009 law against trafficking provide penalties for abuse of such workers.

In February the government and the Indonesian government signed an agreement that provided Indonesian women working as domestic servants in the kingdom could keep their passports in their possession, communicate regularly with their families, be paid on a monthly basis, and be entitled to time off each year. The agreement ended a ban imposed by the Indonesian government that had existed since 2011 on additional Indonesians travelling to the country to work as domestic servants after authorities executed an Indonesian maid. The government of the Philippines ended a similar ban in 2013, but it had not yet started sending additional workers to the kingdom.

In 2011 the Ministry of Labor mandated the establishment of fewer and larger foreign labor recruitment firms, ostensibly better to protect migrant workers, including domestic workers. As of year's end, the ministry registered 13 unified recruitment firms, each of which was expected to have an office in each of the country's 13 provinces.

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

Ramadan the Human Rights Commission broadcast a public awareness program on television emphasizing the Islamic injunction to treat employees well.

An estimated eight million noncitizen workers, including approximately 1.5 million female domestic workers, made up the majority of the country's labor force. Legal workers generally negotiated and agreed to conditions prior to arrival in the country, in accordance with the contract requirements contained in the labor law; nevertheless, many found themselves subjected to different conditions, such as delays in payment of wages, changes in employer, or changed working hours and conditions. Migrant workers, especially domestic workers, were vulnerable to abuse, exploitation, and conditions contravening labor laws, including nonpayment of wages, working for periods in excess of the 48-hour workweek, working for periods longer than the prescribed eight-hour workday, and restrictions on movement due to passport confiscation. There were also reports of physical and verbal abuse. The labor regulations announced in August 2013 seek to reduce instances of such abuse. The law's requirements include transferring wages by direct deposit in the bank account of the employee to ensure documentation of the payment of wages. Moreover, the Ministry of Labor must have on file a fixed postal address for each sponsor of a noncitizen employee.

Many noncitizen workers, particularly domestic employees, were not able to exercise their right to remove themselves from dangerous situations. Some employers physically prevented workers from leaving or threatened them with nonpayment of wages if they left. Sponsoring employers, who controlled foreign workers' ability to remain employed and in the country, usually held foreign workers' passports, a practice prohibited by law. In some contract disputes, a sponsor held the employee in country until resolution of the dispute to force the employee to accept a disadvantageous settlement or risk deportation without any settlement.

Foreign workers could contact the labor offices of their embassies for assistance. During the year hundreds of domestic workers sought shelter at their embassies, some fleeing sexual abuse or other violence by their employers. 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.

In addition to their embassies, domestic servants may contact the NSHR, the HRC, the governmental Interministerial General Secretariat to Combat Human Trafficking, and the Migrant Workers' Welfare Department of the Ministry of



Labor, which provided 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.