

# SAUDI ARABIA 2018 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Kingdom of Saudi Arabia is a monarchy ruled by King Salman bin Abdulaziz Al Saud, who is both head of state and head of government. The 1992 Basic Law sets out the system of governance, rights of citizens, and powers and duties of the government, and it provides that the Quran and Sunna (the traditions of the Prophet Muhammad) serve as the country's constitution. It specifies that the rulers of the country shall be male descendants of the founder, King Abdulaziz (Ibn Saud). In 2015 the country held its most recent municipal elections on a nonparty basis for two-thirds of the 3,159 seats in the 284 municipal councils around the country. Independent polling station observers did not identify significant irregularities with the elections. For the first time, women were allowed to vote and run as candidates in these municipal elections.

Civilian authorities generally maintained effective control over the security forces.

Human rights issues included unlawful killings; executions for nonviolent offenses; forced renditions; forced disappearances; and torture of prisoners and detainees by government agents. There were also reports of arbitrary arrest and detention; political prisoners; arbitrary interference with privacy; criminalization of libel, censorship, and site blocking; restrictions on freedoms of peaceful assembly, association, and movement; severe restrictions of religious freedom; citizens' lack of ability and legal means to choose their government through free and fair elections; trafficking in persons; violence and official discrimination against women, although new women's rights initiatives were implemented; criminalization of consensual same-sex sexual activity; and prohibition of trade unions.

Government agents carried out the killing of journalist Jamal Khashoggi inside the consulate of Saudi Arabia in Istanbul, Turkey, on October 2. King Salman pledged to hold all individuals involved accountable, regardless of position or rank. Several officials were removed from their positions, and on November 15, the Public Prosecutor's Office (PPO) announced the indictment of 11 suspects. The PPO announced it would seek the death penalty for five of the suspects charged with murder and added that an additional 10 suspects were under further investigation. At year's end the PPO had not named the suspects nor the roles allegedly played by them in the killing, nor had they provided a detailed explanation of the direction and progress of the investigation. In other cases the

government did not punish officials accused of committing human rights abuses, contributing to an environment of impunity.

The country continued air operations in Yemen as leader of a military coalition formed in 2015 to counter the 2014 forceful takeover of the Republic of Yemen's government institutions and facilities by Houthi militias and security forces loyal to former president Ali Abdullah Saleh. Saudi-led coalition airstrikes in Yemen resulted in civilian casualties and damage to infrastructure on a number of occasions, and the United Nations and nongovernmental organizations (NGOs), such as Human Rights Watch (HRW) and Amnesty International, reported that some coalition airstrikes caused disproportionate collateral damage. Houthi-aligned militias carried out cross-border raids into Saudi territory and fired missiles and artillery into Saudi Arabia throughout the year, killing and injuring Saudi civilians. The coalition's Joint Incident Assessment Team, established by the Saudi government and based in Riyadh, investigated allegations of civilian casualties, published recommendations, and in some cases promised to provide compensation to affected families, although no prosecutions occurred.

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

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

The government or its agents engaged in arbitrary or unlawful killings. On October 2, Jamal Khashoggi, a prominent Saudi journalist who lived abroad in "self-exile," was killed by government agents during a visit to the Saudi Arabian consulate in Istanbul, Turkey. The government initially claimed he had left the consulate in good health but changed its story as facts came to light. On November 15, the PPO announced the indictment of 11 suspects in Khashoggi's killing and that it would seek the death penalty for five of them charged with murder. The PPO added that an additional 10 suspects were under investigation in connection with the case. The PPO did not name the suspects. Previously, on October 19, the government announced the dismissal of five senior officials, including Royal Court advisor Saud al-Qahtani and Deputy Chief of the General Intelligence Presidency Ahmad al-Asiri, in connection with Khashoggi's killing. In 2016 authorities reportedly banned Khashoggi from writing, appearing on television, and attending conferences due to remarks he made that were interpreted as critical of foreign and Saudi government officials, according to multiple media sources.

On March 12, the *New York Times* reported that unnamed sources said 17 detainees--among them princes, businessmen, and former and current government officials--held at the Ritz Carlton Hotel in Riyadh in November 2017 had required hospitalization for physical abuse and that one had died in custody.

Under the country's interpretation and practice of sharia (Islamic law), capital punishment may be imposed for a range of nonviolent offenses, including apostasy, sorcery, and adultery, although in practice death sentences for such offenses were rare and often reduced on appeal. The government, however, frequently implemented capital punishment for nonviolent drug trafficking offenses. According to the governmental Saudi Press Agency, the country carried out 145 executions as of December 19, 57 of which were for drug-related offenses. Three of those executions were carried out in public.

Since the country lacks a comprehensive written penal code listing criminal offenses and the associated penalties for them (see section 1.e.), punishment--including the imposition of capital punishment--is subject to considerable judicial discretion. Defendants are able to appeal their sentences. The law requires a five-judge appellate court to affirm a death sentence, which a five-judge panel of the Supreme Court must unanimously affirm. Appellate courts may recommend changes to a sentence, including increasing a lesser sentence to the death penalty.

Defendants possess the right under the law to seek commutation of a death sentence for some crimes and may receive a royal pardon under specific circumstances (see section 1.d.).

Many of those executed during the year had been convicted in trials that did not meet international minimum fair trial standards, according to NGOs such as Amnesty International. Amnesty noted that "those sentenced to death are often convicted solely on the basis of 'confessions' obtained under torture and other mistreatment, denied legal representation in trials which are held in secret, and are not kept informed of the progress of the legal proceedings in their case."

In August the public prosecutor charged six Eastern Province activists with offenses that potentially could lead to death sentences based on the sharia principle of *ta'zir*, or "discretionary" punishments, according to HRW. The judge has discretion over the definition of what constitutes a crime and the sentence. The activists had initial hearings before the Specialized Criminal Court (SCC), set up in 2008 to try terrorism cases, on charges including "participating in violent protests" in the Qatif area of Eastern Province. Local and international human rights

organizations noted the hearings before the SCC lacked transparency and did not adhere to minimum fair trial standards.

On March 15, seven UN experts issued a statement expressing concern over the pending death sentence of Abbas Haiji al-Hassan and 14 others, whom the SCC convicted of spying for Iran, financing terrorism, and illegally proselytizing in 2016. The experts called on the government to annul the death sentences, which had been upheld by further court rulings in July and December 2017. Al-Hassan was later transferred to the State Security Presidency (SSP), and his sentence was, at year's end, subject to ratification by the king. The UN report commented: "We are concerned that these individuals were subjected to torture during their interrogation to obtain confessions and that the death sentences may be based on evidence obtained under these conditions."

The government also imposed death sentences for crimes committed by minors. According to the European Saudi Organization for Human Rights (ESOHR), at year's end eight individuals on death row were minors when detained, or at the time they committed offenses. The new Juvenile Law (approved by Royal Decree No. M/113, dated August 1, 2018), however, sets the legal age at 18 based on the Hijri calendar and in some cases permits detention of minors in a juvenile facility for up to 15 years if the crime is otherwise punishable by death.

At year's end the government had not carried out the execution of Ali Mohammed Baqir al-Nimr, sentenced to death in 2014 for crimes he allegedly committed when he was 17. Al-Nimr was charged with protesting, aiding and abetting fugitives, attacking security vehicles, and various violent crimes. Human rights organizations reported due process concerns relating to minimum fair trial standards for his case. Al-Nimr was the nephew of Shia cleric Nimr al-Nimr, executed in 2016.

There were terrorist attacks in the country during the year. A police officer, a Bangladeshi national, and two attackers were killed in a terrorist attack claimed by ISIS that targeted a security checkpoint in Buraidah, Qassim Province, on July 8.

## **b. Disappearance**

There were reports of disappearances carried out by or on behalf of government authorities.

On May 29 and June 13, UN Office of the High Commissioner for Human Rights spokesperson Liz Throssell and HRW, respectively, urged authorities to disclose the whereabouts of Nawaf al-Rasheed, a citizen with dual Qatari nationality, whom Kuwait authorities stated had been deported to Saudi Arabia on May 12 at the kingdom's request.

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

The law prohibits torture and makes officers, who are responsible for criminal investigations, liable 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.

Multiple human rights organizations, the United Nations, and independent third parties noted numerous reports of torture and mistreatment of detainees by law enforcement officers. In November HRW and Amnesty International reported that some female right-to-drive activists arrested in May and June were subjected to torture and sexual harassment while in detention at Dhahban Prison near Jeddah. Human rights organizations and Western media outlets reported the women had been subjected to electric shocks, whipping, and forced kissing.

In a September SCC hearing attended by diplomatic representatives, three defendants reported their confessions had been forced after they were subject to abuse including beatings, sleep deprivation, being forced to stand for long periods, and food deprivation. In a June report, UN Special Rapporteur on Human Rights and Counter-terrorism Ben Emmerson called on authorities to investigate allegations of the torture of detainees. While noting the country had "suffered numerous terrorist acts" and had a duty to protect its citizens, Emmerson said he had "well-documented reports" of torture and mistreatment by law enforcement officials against individuals accused of terrorism, as well as the use of coerced confessions. Emmerson also said authorities had widened their use of the broad antiterrorism law since his visit in April-May 2017. Authorities denied officials committed torture and stated they afforded all detainees due process and properly investigated credible complaints of mistreatment or torture.

On March 11, *The New York Times* reported that businessmen and princes arrested and detained during the government's November 2017 anticorruption campaign were required to wear ankle bracelets that tracked their movements after their

release. It added that at least 17 detainees were hospitalized for physical abuse, and one later died in custody with his body bearing signs of torture.

Amnesty, HRW, and other organizations also reported cases in which the SCC based its decisions on confessions allegedly obtained through torture and then admitted as evidence.

Former detainees in facilities run by the General Investigations Directorate (the country's internal security forces, also known as Mabahith) alleged that abuse included beatings, sleep deprivation, and long periods of solitary confinement for nonviolent detainees.

Officials from the Ministry of Interior, PPO, and Human Rights Commission (HRC) claimed that rules prohibiting torture prevented such practices from occurring in the penal system. The ministry said it installed surveillance cameras to record interrogations of suspects in some criminal investigation offices, police stations, and prisons where such interrogations regularly occurred, such as the General Investigations Directorate/Mabahith prison facilities. There were reports that defendants who requested copies of video footage from the ministry's surveillance system to provide as evidence of torture did not receive it.

Courts continued to sentence individuals to corporal punishment, usually in the form of floggings, whippings, or lashings, a common punishment that government officials defended as punishment dictated by sharia. According to 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 copy of the Quran under his arm that prevents raising the hand above the head, limiting the ability to inflict pain or injury on the person subjected to the punishment, and instructions forbid police from breaking the skin or causing scarring when administering the lashes. Human rights organizations disputed that officials implemented floggings according to these guidelines for all prisoners and characterized flogging as a form of cruel and unusual punishment.

There were no reported cases 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; reported problems included overcrowding and inadequate conditions.

Physical Conditions: In May the HRC reported that the most common problems observed during prison visits conducted in 2017 included overcrowding as well as insufficient facilities for inmates with disabilities.

Juveniles constituted less than 1 percent of detainees and were held in separate facilities from adults, according to available information.

Violations listed in National Society for Human Rights (NSHR) reports following prison visits documented shortages of properly trained wardens and lack of prompt access to medical treatment and services, including medication, when requested. Some prisoners alleged prison authorities maintained cold temperatures in prison facilities and deliberately kept lights on 24 hours a day to make prisoners uncomfortable.

Human rights activists reported that deaths in prisons, jails, or pretrial detention centers were infrequent (see section 1.a.).

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. Activists alleged that authorities sometimes detained individuals in the same cells as individuals with mental disabilities as a form of punishment and indicated that authorities mistreated persons with disabilities.

Administration: There were multiple legal authorities for prisons and detention centers. The General Directorate of Prisons administered approximately 91 detention centers, prisons, and jails, while the General Investigations Directorate/Mabahith administered approximately 20 regional prisons and detention centers for security prisoners. Article 37 of the law of criminal procedure gives members of the PPO the authority to conduct official visits of prisons and detention facilities “within their jurisdictional areas to ensure that no person is unlawfully imprisoned or detained” (see section 1.d., Arrest Procedures and Treatment of Detainees).

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 follow up. Article 38 of the law of criminal procedure provides that “any prisoner or detainee shall have the right to submit, at any time, a written or verbal complaint to the prison or detention center officer and request that he

communicate it to a member of the [former] Bureau of Investigations and Public Prosecution [renamed the PPO].” Under the law there is no right to submit complaints directly to judicial authorities or to challenge the legality of an individual’s detention before a court of law (habeas corpus). There was no information available on whether prisoners were able to submit complaints to prison or prosecutorial authorities without censorship, or whether authorities responded or acted upon complaints.

On December 17, the *Wall Street Journal* reported the HRC was investigating alleged abused of detained women’s rights activists.

On July 6, security authorities arrested human rights defender Khaled al-Omair after he had filed a complaint with the Royal Court against an officer of the General Directorate of Investigation who allegedly tortured him during a prior imprisonment, according to the Gulf Centre for Human Rights (GCHR). Al-Omair was previously released in April 2017 after serving an eight-year sentence for inciting demonstrations and calling for them via the internet, according to the GCHR.

Recordkeeping on prisoners was inadequate; there were reports authorities held prisoners after they had completed their sentences.

A Ministry of Interior-run website (Nafetha) provided detainees and their relatives access to a database containing information about the legal status of the detainee, including any scheduled trial dates. Activists said the website did not provide information about all detainees.

Authorities differentiated between violent and nonviolent prisoners, sometimes pardoning nonviolent prisoners to reduce the prison population. Certain prisoners convicted on terrorism-related charges were required to participate in government-sponsored rehabilitation programs before consideration of their release.

Authorities generally permitted relatives and friends to visit prisoners twice a week, although certain prisons limited visitation to once every 15 days. There were reports that prison, security, or law enforcement officials denied this privilege in some instances, often during investigations. The families of detainees could access the Nafetha website for applications for prison visits, temporary leave from prison (generally approved around post-Ramadan Eid holidays), and release on bail (for pretrial detainees). Some family members of detained persons under investigation said family visits were typically not allowed, while others said

allowed visits or calls were extremely brief (less than five minutes). Some family members of prisoners complained authorities canceled scheduled visits with relatives without reason.

Authorities generally permitted Muslim detainees and prisoners to perform religious observances such as prayers.

Independent Monitoring: Independent institutions were not permitted to conduct regular, unannounced visits to places of detention, according to the UN Committee against Torture. During the year the government permitted some foreign diplomats to visit some prison facilities to view general conditions in nonconsular cases. In a limited number of cases, foreign diplomats visited individuals in detention, but the visits took place in a separate visitors' center where conditions may have differed from those in the detention facilities holding the prisoners.

The government permitted the 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. In December the HRC reported it had conducted more than 1,200 prison visits in 2017, including visits to Mabath prisons, criminal investigation prisons, and some military prisons, as well as "social surveillance centers" and girls' welfare institutions. The NSHR reportedly monitored health care in prisons and brought deficiencies to the attention of the PPO.

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

The law provides that no entity may restrict a person's actions or imprison a person, except under the provisions of the law. The law of criminal procedure provides that authorities may not detain a person 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. Regardless, the Ministry of Interior and the SSP, to which the majority of forces with arrest powers reported, maintained broad authority to arrest and detain persons indefinitely without judicial oversight, notification of charges, or effective access to legal counsel or family. Authorities held persons for months and sometimes years without charge or trial and reportedly failed to advise them promptly of their rights, including their legal right to be represented by an attorney. Under the law of criminal procedure, detentions can be extended administratively for up to six months at the discretion of the PPO.

The Supreme Anti-Corruption Committee, formed by Royal Order No. (A/38) in November 2017, was granted broad powers, including the authority to issue arrest warrants and travel bans, freeze accounts and portfolios, and take whatever measures deemed necessary to deal with those involved in public corruption cases.

In January the public prosecutor stated the committee summoned 381 persons for questioning, of whom 56 suspects were still held on graft charges. On April 8, the public prosecutor began investigations and opening arguments for the remaining 56 suspects. In an October 5 interview with *Bloomberg News*, Crown Prince Mohammed bin Salman declared only eight suspects remained.

The PPO may order the detention of any person accused of a crime under the 2017 counterterrorism law for up to 30 days, or successive periods not exceeding 30 days each, and in total not more than 12 months. The SCC must authorize periods of detention of more than 12 months. In practice the United Nations and international human rights organizations documented numerous cases of detention that reportedly exceeded the maximum allowable period under the law.

By law defendants accused of any crime cited in the law are entitled to hire a practicing lawyer to defend themselves before the court “within an adequate period of time to be decided by the investigatory body.”

Since May 15, authorities arrested at least 30 prominent activists, and imposed travel bans on others, in connection with these activists’ advocacy for the right of women to drive. On June 1, Public Prosecutor Sheikh Saud al-Mu’jab stated authorities temporarily released eight of the detainees (five women and three men). An additional activist was released in December.

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

In July 2017 King Salman issued a royal decree that established the State Security Presidency (SSP), a new entity reporting directly to the king, to consolidate “the counterterrorism and domestic intelligence services” and “all matters related to state security, ... combatting terrorism, and financial investigations,” according to the official Saudi Press Agency. The royal decree moved the General Directorate of Investigation (Mabahith), Special Security Forces, Special Emergency Forces, General Security Aviation Command, General Directorate of Technical Affairs, and the National Information Center from the Ministry of Interior to the SSP. Police, traffic authorities, and the General Directorate of Passports remained under the Ministry of Interior, according to the Ministry of Information’s website.

The king, SSP, and Ministries of Defense, Interior, and National Guard are responsible for law enforcement and maintenance of order. The SSP and Ministry of Interior exercise primary control over internal security and police forces. The civil police and the internal security police have authority to arrest and detain individuals. Ministry of Interior and SSP police and security forces were generally able to maintain order.

The Committee for the Promotion of Virtue and the Prevention of Vice (CPVPV), which monitors public behavior to enforce strict adherence to official interpretation of Islamic norms, reports to the king via the Royal Diwan (royal court) and to the Ministry of Interior. In 2016 the cabinet issued regulations severely curtailing the CPVPV's enforcement powers. The new regulations prohibit CPVPV officers from investigating, detaining or arresting, or requesting the identification of any individual. The regulations also limit their activities to providing counseling and reporting individuals suspected of violating the law to police or other authorities. Evidence available since the end of 2017 indicated that CPVPV officers were less visibly present and active after implementation of the new strictures. Mabahith officers also have broad authorities to investigate, detain, and forward "national security" cases to judicial authorities--which ranged from terrorism cases to dissident and human rights activist cases--separate from the PPO.

Civilian authorities generally maintained effective control over security forces, and the government had mechanisms to investigate and punish abuse and corruption. Military and security courts investigated abuses of authority and security force killings. The Board of Grievances ("Diwan al-Mazalim"), a high-level administrative judicial body that hears cases against government entities and reports directly to the king, is the primary mechanism to seek redress for claims of abuse. Citizens may report abuses by security forces at any police station or to the HRC or NSHR. The HRC and NSHR maintained records of complaints and outcomes, but privacy laws protected information about individual cases, and information was not publicly available. The HRC said in February that it received 2,646 human rights-related complaints during fiscal year 2016-17. During the year the Board of Grievances held hearings and adjudicated claims of wrongdoing, but there were no reported prosecutions of security force members for human rights violations.

The HRC, in cooperation with the Ministry of Education, provided materials and training to police, other security forces, the Ministry of Defense, and the CPVPV on protecting human rights.

The Supreme Anti-Corruption Committee, established in November 2017, the National Anticorruption Commission (Nazaha), the PPO, and the Control and Investigation Board are 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. Legal authorities for investigation and public prosecution of criminal offenses are consolidated within the PPO; the Control and Investigation Board is responsible for investigation and prosecution of noncriminal cases. Financial audit and control functions are vested in the General Auditing Board.

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

In June 2017 King Salman issued two royal decrees that created the Public Prosecutor’s Office, (formerly the Bureau of Investigations and Public Prosecution or BIPP), establishing Saud bin Abdullah bin Mubarak al-Mu’jab as its head attorney general. The decrees directed the newly named agency to report directly to the king (rather than the Ministry of Interior, to which the BIPP had reported). Officials stated these changes would increase the independence and effectiveness of the lead prosecutorial office.

According to the law of criminal procedure, “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.” By law authorities may summon any person for investigation and may issue an arrest warrant based on evidence. In practice authorities frequently did not use warrants, and warrants were not required under the law in all cases.

The law requires authorities to 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 counterterrorism law (see section 2.a.). Authorities may not legally 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. There were also reports that authorities did not allow legal counsel access to detainees who were under investigation in pretrial detention. Judicial proceedings begin after authorities complete a full investigation, which in some cases took years.

The law of criminal procedure specifies procedures required for extending the detention period of an accused person beyond the initial five days. Authorities may approve official detentions in excess of six months in “exceptional circumstances,” effectively allowing individuals to be held in pretrial detention indefinitely. Authorities may also extend from three months to six months the deadline for the PPO to gather evidence against the accused and issue a warrant for the defendant’s arrest, summons, or detention.

There is a functioning bail system for less serious criminal charges. Detainees generally did not have the right to obtain a lawyer of their choice. The government provided lawyers to defendants who made a formal application to the Ministry of Justice to receive a court-appointed lawyer and prove their inability to pay for their legal representation. The law contains no provision regarding the right to be informed of the protections guaranteed under the law.

Incommunicado detention was a problem. Authorities reportedly did not always respect a detainees’ right to contact family members following detention, and the counterterrorism law allows the investigatory body to hold a defendant for up to 90 days in detention without access to family members or legal counsel (and the SCC may extend such restrictions beyond this period). Security and some other types of prisoners sometimes remained in prolonged solitary detention before family members or associates received information of their whereabouts, particularly for detainees in Mabath-run facilities.

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

On January 2, a group of UN human rights experts deplored what they said was “a worrying pattern of widespread and systematic arbitrary arrests and detention” following the arrests of religious figures, writers, journalists, academics, and civic activists, along with members of the banned Saudi Civil and Political Rights Association (ACPRA) since September 2017. The experts denounced the use of the 2014 Counterterrorism Law (as amended in 2017) and other security-related laws against human rights defenders, urging the government to end repression and release those detained for peacefully exercising their rights. In September the SCC opened trials against some of the clerics, academics, and media figures arrested in September 2017. The SCC saw a significant increase in the number of cases and

judicial rulings between September 2017 and March 2018, compared with the same period in the previous 12-month period. On April 22, local media reported an increase of 132 percent in the number of cases referred to the SCC and a 182 percent increase in the number of defendants.

Pretrial Detention: Lengthy pretrial detention was a problem.

In August 2017 the PPO found during inspections of prisons and detention centers across the country that more than 2,000 individuals remained in detention without charge or trial since 2014. The attorney general ordered the cases immediately examined, and the majority of detainees were reportedly released on bail. The attorney general also asked the courts to find an appropriate legal remedy for the affected individuals.

Nonetheless, in a May 6 statement, HRW noted that authorities had detained thousands of persons for more than six months, in some cases for more than a decade, without referring them to courts for criminal proceedings, and that the number held for excessively long periods had apparently increased dramatically in recent years.

There was no current information available on the percentage of the prison population in pretrial detention or the average length of time held. Local human rights activists and diplomatic representatives reportedly received regular reports from families claiming authorities held their relatives arbitrarily or without notification of charges.

During the year the SSP stated it had detained numerous individuals for terrorist acts. On May 9, local media reported there were 5,342 detainees in five intelligence prisons across the country, of whom 83 percent were Saudis.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Under the law detainees are not entitled to challenge the lawfulness of their detention before a court. In the case of wrongful detention, the law of criminal procedure, as well as provisions of the counterterrorism law, provide for the right to compensation if detainees are found to have been held unlawfully.

Amnesty: The law of criminal procedure stipulates that the king may issue a pardon "on pardonable matters" for public crimes only. The law of criminal procedure also states that a victim's heirs may grant a pardon for private crimes. The Ministry of Interior publishes the conditions for royal pardons annually, and

these generally exclude specific crime categories such as murder or drug smuggling, or those convicted of crimes involving state security. Under the country's interpretation of sharia, there are three broad categories of offenses: (1) *huddud* or "boundary" crimes, which are explicitly enumerated in the Quran and whose corresponding punishments are also prescribed; these are considered crimes against God and thus not pardonable; (2) *qisas* or "legal retribution crimes," which involve murder or intentional bodily harm and give the victim's family or legal heirs the private right to legal retribution; the victim's family or legal heirs may grant a pardon in exchange for financial compensation (*diya* or "blood money,"); and (3) crimes that do not reach the level of *huddud* or *qisas* and which are left to the discretion of the state (judge). *Ta'zir* or "discretionary" punishments are issued for crimes against public rights; this is the most frequently used basis for conviction.

The king continued the tradition of commuting some judicial punishments. Royal pardons sometimes set aside a conviction and sometimes reduced or eliminated corporal punishment. The remaining sentence could be added to a new sentence if the pardoned prisoner committed a crime subsequent to release.

Authorities did not detain some individuals who had received prison sentences. The counterterrorism law allows the PPO to stop proceedings against an individual who cooperates with investigations or helps thwart a planned terrorist attack. The law authorizes the SSP to release individuals already convicted.

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

The law provides that judges are independent and not subject to any authority other than the provisions of sharia and the laws in force. Nevertheless, the judiciary, PPO, and SSP were not independent entities, as they were required to coordinate their decisions with executive authorities, with the king and crown prince as arbiters. 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 acquitted suspects. Human rights activists reported that SCC judges received implicit instructions to issue harsh sentences against human rights activists, reformers, journalists, and dissidents not engaged in violent activities. Activists also reported that judicial and prosecutorial authorities ignored due process-related complaints, including lack of access by lawyers to their clients at critical stages of the judicial process, particularly during the pretrial/investigation phase.

## **Trial Procedures**

In the judicial system, there traditionally was no published case law on criminal matters, no uniform criminal code, no presumption of innocence, and no doctrine of stare decisis that binds judges to follow legal precedent. The Justice Ministry is expanding a project first started in 2007 to encapsulate and distribute model judicial decisions to ensure more uniformity of legal application. The law states that defendants should be treated equally in accordance with sharia. The Council of Senior Scholars (CSS), or the ulema, an autonomous advisory body, issues religious opinions (fatwas) that guide how judges interpret sharia.

In the absence of a formalized penal code that details all criminal offenses and punishments, judges in the courts determine many of these penalties through their interpretations of sharia, which varied according to the judge and the circumstances of the case. Because judges have considerable discretion in decision making, rulings and sentences diverged widely from case to case.

Several laws, however, provide sentencing requirements for crimes including terrorism, cybercrimes, trafficking in persons, and domestic abuse. In 2016 the Ministry of Justice issued its first compilation of previous decisions that judges could refer to as a point of reference in making rulings and assigning sentences.

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 did not affirm judgments, appeals judges in some cases remanded the judgment to the judge who originally authored the opinion. This procedure sometimes made it difficult for parties to receive a ruling that differed from the original judgment in cases where judges hesitated to admit error. While judges may base their decisions on any of the four Sunni schools of jurisprudence, all of which are represented in the CSS, 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, although either party can decide to adjudicate a case in state courts, which apply Sunni legal traditions.

While the law states that court hearings shall be public, courts may be closed at the judge's discretion. As a result, many trials during the year were closed. Through mid-October foreign diplomatic missions were able to obtain permission to attend some nonconsular court proceedings (cases to which neither the host country nor

any of its nationals were a party; diplomatic missions are generally allowed to attend consular proceedings of their own nationals). To attend, authorities required diplomats to obtain advance written approval from the Ministry of Foreign Affairs. In October, however, the Ministry of Foreign Affairs suspended diplomatic access to court proceedings. 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. SCC officials sometimes banned female relatives or diplomats from attending due to the absence of women officers to conduct security inspections of 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 HRC sometimes attended trials at the SCC.

Amendments to the law of criminal procedure in 2013 strengthened provisions stating that authorities will offer defendants a lawyer at government expense. In August 2017 the Ministry of Justice stated that defendants “enjoy all judicial guarantees they are entitled to, including the right to seek the assistance of lawyers of their choosing to defend them, while the ministry pays the lawyer’s fees when the accused is not able to settle them.” Activists, however, reported the process for applying for a court-appointed lawyer was difficult and cumbersome. Many said they were not able or allowed to retain an attorney or consult with their attorneys during critical stages of the investigatory and trial proceedings. Detained human rights activists often did not trust the courts to appoint lawyers for them due to concerns of lawyer bias.

The law provides defendants the right to be present at trial and to consult with an attorney during the trial. The counterterrorism law, however, authorizes the attorney general to limit the right of defendants accused of terrorism to access legal representation while under investigation “whenever the interests of the investigation so require.” There is no right to discovery, nor can defendants view their own file or the minutes from their interrogation. Defendants have the right to call and cross-examine witnesses under the law; however, activists reported SCC judges could decide to restrict this right in “the interests of the case.” The law provides that a PPO-appointed investigator questions the witnesses called by the defendant during the investigation phase before the initiation of a trial. The investigator may also hear testimony of additional witnesses he deems necessary to determine the facts. Authorities may not subject a defendant to any coercive measures or compel the taking of an oath. The court must inform convicted persons of their right to appeal rulings.

The law does not provide for a right against self-incrimination.

The law does not provide free interpretation services, although services were often provided in practice. The law of criminal procedure provides that “the court should seek the assistance of interpreters,” but it does not obligate the court to do so from the moment the defendant is charged, nor does the law specify that the state will bear the costs of such services.

While sharia as interpreted by the government applies to all citizens and noncitizens, the law in practice discriminates against women, noncitizens, nonpracticing Sunni, Shia, and persons of other religions. Although exceptions exist, a woman’s testimony before a court counts as only half that of a man’s. 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.

### **Political Prisoners and Detainees**

The government maintained there were no political prisoners, including detainees who reportedly remained in prolonged detention without charge, while local activists and human rights organizations claimed there were “hundreds” or “thousands.” Credible reporting by advocacy groups and press suggested that authorities detained persons for peaceful activism or political opposition, including nonviolent religious figures, imams deemed to have strayed from the official religious line, Shia activists, women’s rights defenders, other activists, and bloggers who the government claimed posted offensive or antigovernment comments on websites.

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, including persons who were political activists openly critical of the government, were often convicted of terrorism-related crimes. During the year the SCC tried political and human rights activists for nonviolent actions unrelated to terrorism, violence, or espionage against the state.

International NGOs, the United Nations, and others criticized the government for abusing its antiterrorism prerogatives to detain or arrest some dissidents or critics of the government or royal family on security-related grounds who had not espoused or committed violence. Authorities restricted attorneys’ access to all detainees, and no international humanitarian organizations had access to them.

On May 25, authorities arrested ACPRA founding member Mohammed al-Bajadi, along with almost a dozen women rights defenders, some of whom were later released. Al-Bajadi was previously released from prison in 2016 after serving a four-year prison sentence on charges stemming from his work with ACPRA. Among other rights defenders arrested in May was lawyer Ibrahim al-Mudaimeegh, who previously represented activists including Waleed Abu al-Khair and Lujain al-Hathloul. Al-Mudaimeegh was reportedly released on December 21.

At least 120 persons remained in detention for activism, criticism of government leaders, impugning Islam or religious leaders, or “offensive” internet postings, including prominent activists such as Aziza al-Yousef, Eman al-Nafjan, Hatoun al-Fassi, Raif Badawi, Mohammed al-Qahtani, Loujain al-Hathloul, and Samar Badawi, and clerics including former Grand Mosque Imam Salih al-Talib, Sahwa movement figures Safar al-Hawali, Nasser al-Omar, and others.

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

Complainants claiming human rights violations generally sought assistance from the HRC or the NSHR, which either advocated on their behalf or provided courts with opinions on their cases. The HRC generally responded to complaints and could refer cases to the PPO; domestic violence cases were the most common. Individuals or organizations 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 counterterrorism law contains a provision allowing detainees in Mabahith-run prisons to request financial compensation from the Ministry of Interior/SSP for wrongful detention beyond their prison terms. In some cases the government did not carry out judicially ordered compensation for unlawful detentions in a timely manner.

In August 2017 the Ministry of Justice issued a press release stating that “...the accused enjoy all judicial guarantees they are entitled to, including the right to seek the assistance of lawyers of their choosing to defend them, while the Ministry [of Justice] pays the lawyer’s fees when the accused is not able to settle them.” Security detainees held in accordance with the 2017 Counterterrorism Law are entitled “to seek the assistance of a lawyer or legal agent,” but the Public Prosecutor may restrict this right during the investigation “whenever the interests of the investigation so require.” The United Nations and international NGOs

reported security detainees were denied access to legal counsel during pretrial detention during the year.

#### **f. Arbitrary or Unlawful 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 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 of mobile telephone or internet usage. The government strictly monitored politically related activities and took punitive actions, including arrest and detention, against persons engaged in certain political activities, such as calling for a constitutional monarchy, publicly criticizing senior members of the royal family by name, forming a political party, or organizing a demonstration (see section 2.a.). Customs officials reportedly routinely opened mail and shipments to search for contraband. In some areas Ministry of Interior/SSP informants allegedly reported “seditious ideas,” “antigovernment activity,” or “behavior contrary to Islam” in their neighborhoods.

The 2017 Counterterrorism Law allows the Ministry of Interior/SSP to access a terrorism suspect’s private communications as well as banking information in a manner inconsistent with the legal protections provided by the law of criminal procedure.

The CPVPV monitored and regulated public interaction between members of the opposite sex, though in practice CPVPV authorities were greatly curtailed and mixed-gender events this year.

#### **g. Abuses in Internal Conflict**

In 2015 Saudi officials announced the formation of a coalition to counter the 2014 attempted overthrow of the Yemeni government by militias of the Ansar Allah movement (also known colloquially as “Houthis”) and forces loyal to former Yemeni president Ali Abdullah Saleh. Membership in the coalition included the United Arab Emirates, Bahrain, Egypt, Jordan, Kuwait, Morocco, Somalia, Sudan, and Senegal. The Saudi-led coalition continued conducting air and ground operations in Yemen, actions initiated in 2015.

Killings: The United Nations, NGOs, media, and humanitarian and other international organizations reported what they characterized as disproportionate use of force by all parties to the conflict in Yemen, including the Saudi-led coalition and Houthi rebels. The UN High Commissioner for Human Rights stated that between March 26, 2015, and August 9, 2018, an estimated 6,592 civilians had been killed, including more than 1,200 children, and 10,470 injured as result of the war in Yemen.

Saudi-led coalition airstrikes reportedly resulted in civilian casualties and damage to infrastructure on multiple occasions. According to NGO and press reports, two coalition airstrikes on August 9 and August 23 led to more than 70 civilian deaths, many of whom were children.

The government established the Joint Incidents Assessment Team (JIAT) in 2016 to identify lessons and corrective actions and to implement national accountability mechanisms, as appropriate. The Riyadh-based group consisted of military and civilian members from coalition member states who investigated allegations of civilian casualties as well as claims by international organizations that humanitarian aid convoys and infrastructure were targeted by the coalition.

On September 1, JIAT spokesperson Mansour Ahmed al-Mansour stated the August 9 attack on Dahyan market in Saada was “unjustified.” JIAT findings admitted “mistakes” were made and recommended individuals be held accountable; however, no official actions against those individuals were known to have occurred. The JIAT publicly announced the results of numerous investigations during the year, largely absolving the coalition of responsibility in civilian deaths in the incidents reviewed.

On July 10, King Salman issued a royal pardon for all Saudi soldiers deployed in Yemen, lifting any “military and disciplinary” penalties for “military men” taking part in “Operation Restoring Hope.” This pardon does not apply, however, to

crimes against international humanitarian law, according to coalition spokesperson Turki al-Malki.

Other Conflict-related Abuse: Yemeni rebels conducted cross-border attacks into Saudi Arabia, including launching more than 66,000 projectiles into Saudi territory since 2015, which reportedly destroyed hospitals, schools, homes, and other infrastructure and killed at least eight Saudis. In November 2017 Houthi militias launched ballistic missiles from Yemen that reached Riyadh. In its initial response, the Saudi-led coalition blocked all imports, including humanitarian aid, at all Yemeni air and seaports and land border crossings. On November 25, 2017, the coalition began opening some ports and all land border crossings to allow access to aid supplies. In December 2017 the coalition announced it would allow the entry of ships carrying humanitarian and commercial cargo, including food and fuel vessels, to the key rebel-held port of Hudaydah. Subsequently, the coalition sought to minimize disruptions of humanitarian assistance delivery through improved coordination with donor organizations via its Evacuation and Humanitarian Operations Committee. Commercial imports, however, had not improved to preblockade levels as of year's end, due to low shipper confidence about the ports remaining open and insecurity in the area. In addition, Sana'a International Airport remained closed throughout the year to commercial traffic.

For additional details, including additional information on the Saudi-led coalition's operations in Yemen, see the Department of State's *Country Reports on Human Rights* for Yemen.

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

### **a. Freedom of Expression, Including for the Press**

The law does not provide for freedom of expression, including for the press. 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 are 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. The government can ban or suspend media outlets if it concludes they violated the press and publications law, and it monitored and blocked hundreds of thousands of internet sites. There were frequent reports of restrictions on free speech.

The legal definition of terrorism, according to the 2017 counterterrorism law, includes “any conduct...intended to disturb public order...or destabilize the state or endanger its national unity.” The law also penalizes “anyone who challenges, either directly or indirectly, the religion or justice of the King or Crown Prince...or anyone who establishes or uses a website or computer program...to commit any of the offenses set out in the law.” Local human rights activists, international human rights organizations, and the UN special rapporteur on human rights and counterterrorism criticized the counterterrorism law for its overly broad and vague definitions of terrorism and complained the government used it to prosecute peaceful expression and dissent.

Freedom of Expression: The government monitored public expressions of opinion and took advantage of legal controls to impede the free expression of opinion and restrict individuals from engaging in public criticism of the political sphere. The law forbids apostasy and blasphemy, which can carry the death penalty, although there were no recent instances of death sentences being carried out for these crimes (see section 1.a.). Statements that authorities construed as constituting defamation of the king, monarchy, governing system, or Al Saud family resulted in criminal charges for citizens advocating government reform. 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.

Some human rights activists were detained and then released on the condition that they refrain from using social media for activism, communicating with foreign diplomats and international human rights organizations, and traveling outside the country, according to human rights organizations.

The government charged a number of individuals with crimes related to their exercise of free speech during the year.

From May 15 to year’s end, authorities arrested at least 30 prominent women activists and their male supporters and imposed travel bans on others, in connection with their advocacy for lifting the ban on women driving. Those arrested included some of the women who first defied the driving ban in 1990, as well as others who expressed solidarity with detained activists. At least 12 persons remained in detention “after sufficient evidence was made available and for their confessions of charges attributed to them.” In a June 2 statement, the public prosecutor stated the detainees had admitted to communicating and cooperating with individuals and organizations opposed to the kingdom, recruiting persons to get secret information to hurt the country’s interests, and offering material and

emotional support to hostile elements abroad. State-linked media labelled those arrested as traitors and “agents of embassies.” The detained included Aziza al-Yousef, Eman al-Nafjan, Hatoon al-Fassi, Loujain al-Hathloul, Hatoon al-Fassi, Samar Badawi, and Nouf Abdulaziz al-Jerawi, among others.

In August authorities arrested Mecca Grand Mosque Imam Sheikh Salih al-Talib. In his last Friday sermon on July 13, Al-Talib discussed the duty in Islam to speak out against evil in public. Al-Talib was the first imam of the Two Holy Mosques in Mecca and Medina to be detained.

In September the SCC opened trials against clerics, academics, and media persons for alleged association with the Muslim Brotherhood, including prominent Muslim scholars Salman al-Odah, Awad al-Qarni, and Ali al-Omari. The three were arrested in September 2017, and the public prosecutor was reportedly seeking the death penalty against them. The public prosecutor brought 37 charges against al-Odah, the vast majority of which alleged ties with the Muslim Brotherhood and Qatari government, in addition to his public support for imprisoned dissidents. None referred to specific acts of violence or incitement to acts of violence, according to a HRW statement on September 12. The 30 charges against al-Omari included “forming a youth organization to carry out the objectives of a terrorist group inside the Kingdom.”

Press and Media Freedom: The Press and Publications Law governs printed materials; printing presses; bookstores; the import, rental, and sale of films; television and radio; foreign media offices and their correspondents; and online newspapers and journals. Media fall under the jurisdiction of the Ministry of Information. The ministry may permanently close “whenever necessary” any means of communication--defined as any means of expressing a viewpoint that is meant for circulation--that it deems is engaged in a prohibited activity, as set forth in the law.

Media policy statements urged journalists to uphold Islam, oppose atheism, promote Arab interests, and preserve cultural heritage. In 2011 a royal decree amended the press law to strengthen penalties, create a special commission to judge violations, and require all online newspapers and bloggers to obtain a license from the ministry. 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 law states that violators can face fines up to 50,000 riyals (\$13,300) for each violation of the law, which doubles if the violation is repeated. Other penalties include banning individuals from writing. While the Violations Considerations Committee in the Ministry of Information has formal responsibility for implementing the law, the Ministry of Interior, the CPVPV, and sharia court judges considered these issues regularly and exercised wide discretion in interpreting the law. It was unclear which process accords with the law.

On July 12, authorities arrested influential religious scholar and Sahwa (Awakening) movement figure Safar al-Hawali, four of his sons, and his brother after al-Hawali reportedly published a book criticizing the Saudi royal family and the country's foreign policy.

Although unlicensed satellite dishes were illegal, the government did not enforce restrictions on them, and their use was widespread. Many foreign satellite stations broadcast a wide range of programs into the country in Arabic and other languages, including foreign news channels. Access to foreign sources of information, including via satellite dishes and the internet, was common. Foreign media were subject to licensing requirements from the Ministry of Information and could not operate freely. Privately owned satellite television networks, headquartered outside the country, maintained local offices and operated under a system of self-censorship.

On February 19, the Ministry of Culture and Information banned writer Muhammad al-Suhaimi from writing and taking part in any media activity, and referred him to an investigation committee for criticizing the Muslim call to prayer (*adhan*) and calling for reducing the number of mosques. Speaking to the MBC TV channel, al-Suhaimi had criticized the volume of the call to prayer, calling it a nuisance.

Violence and Harassment: Authorities subjected journalists, writers, and bloggers to arrest, imprisonment, and harassment during the year.

Throughout the year NGOs, academics, and the press reported on the government's targeting of dissidents using automated social media accounts to ensure that progovernment messages dominate social media trend lists and effectively silence dissenting voices. Automated account activity was reportedly accompanied by online harassment by progovernment accounts in some instances. Dissidents with large social media followings were targeted for offline harassment and surveillance as well.

On February 8, the SCC sentenced prominent newspaper columnist Saleh al-Shehi to five years in prison, followed by a five-year travel ban, for insulting the royal court and its employees. Al-Shehi was reportedly arrested on January 3 after a televised appearance on the privately owned Rotana Khalejia channel in which he accused the royal court of being “one of the institutions that reinforced corruption” in the country, citing examples such as granting plots of land to citizens based on personal connections.

Censorship or Content Restrictions: The government reportedly penalized those who published items counter to government guidelines and directly or indirectly censored the media by licensing domestic media and by controlling importation of foreign printed material.

All newspapers, blogs, and websites in the country must be government-licensed. The Ministry of Information must approve the appointment of all senior editors and has authority to remove them. The government provided guidelines to newspapers regarding controversial issues. The Saudi Press Agency reported official government news. 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 published outside the country. Authorities prevented or delayed the distribution of foreign print media covering issues considered sensitive, effectively censoring these publications.

The government censored published material it considered blasphemous, extremist, racist, or offensive, or as inciting chaos, violence, sectarianism, or harm to the public order. In June 2017 the PPO stated that producing and promoting “rumors that affect the public order” was a crime under the anti-cybercrimes law and punishable by up to five years in prison, a fine of three million riyals (\$800,000), or both. On June 13, 2018, the PPO warned against sending, producing, or storing any material that stirs up tribalism and fanaticism, and harms public order, which is also punishable by the above penalties.

In some cases, however, individuals criticized specific government bodies or actions publicly without repercussions. The Consultative Council (Majlis ash-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/Slander Laws: There were numerous reports during the year of the government using libel laws to suppress publication of material that criticized policies or public officials.

The anti-cybercrimes law provides for a maximum penalty of one year's imprisonment for "defamation and infliction of damage upon others through the use of various information technology devices." In 2014 the law was amended to include social media and social networks.

On May 30, the SCC in Riyadh sentenced academic and media professional Mohammed al-Hudaif to five years in prison, followed by a five-year travel and social media ban, and ordered his Twitter account shut down. Al-Hudaif was convicted of "insulting neighboring states" following a comment he wrote about the visit of the former Egyptian justice minister, Ahmed al-Zind, to the UAE. The government deemed Hudaif's tweet insulting to both the Egyptian and Emirati authorities. He was convicted of destroying national cohesion, publishing writings hostile to state policy, and communicating with members of bodies hostile to the state (the Muslim Brotherhood), according to Al-Qst rights group.

On September 3, the public prosecutor warned that producing and distributing content that ridicules, mocks, provokes, and disrupts public order, religious values and public morals through social media would be considered a cybercrime punishable by a maximum of five years in prison and a fine of three million riyals (\$800,000).

National Security: Authorities used the anti-cybercrimes law and the counterterrorism law to restrict freedom of expression, including by prosecuting numerous individuals under these laws on charges related to statements made on social media.

### **Internet Freedom**

The Ministry of Information or its agencies must authorize all websites registered and hosted in the country. The General Commission for Audiovisual Media has 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. Internet access was widely available, and 82 percent of the population used the internet in 2017, according to International Telecommunication Union data.

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 that set rules for internet-based and other electronic media, including chat rooms, personal blogs, and text messages. On May 27, then information minister Awwad bin Saleh al-Awwad approved the executive regulations for types and forms of electronic publishing activities. The list consists of 17 items defining the mechanisms of dealing with electronic publishing activities, classifications, and ways of obtaining the appropriate regulatory licenses to carry out the required activities. Laws, including the anti-cybercrimes law, 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. Security authorities actively monitored internet activity, both to enforce laws, regulations, and societal norms and to monitor recruitment efforts by extremist organizations such as ISIS. Activists complained of monitoring or attempted monitoring of their communications on web-based communications applications.

Access to the internet is legally available only through government-authorized internet service providers. The government required internet service providers to monitor customers and required internet cafes to install hidden cameras and provide identity records of customers. Although authorities blocked websites offering proxies, persistent internet users accessed the unfiltered internet via other means.

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 against officials or religious authorities with terrorism, blasphemy, and apostasy.

On February 12, the SCC in the western city of Tabuk held the first hearing for student and activist Noha al-Balawi. Al-Balawi was detained on January 23 after posting a video online in which she criticized the country's potential normalization of ties with Israel. According to the United Kingdom-based Saudi rights group Al-Qst, Balawi was charged under anti-cybercrime laws and faced up to five years in prison and a fine of up to three million riyals (\$800,000). On February 22,

authorities reportedly released al-Balawi, according to online activists and media sources.

On February 27, the SCC convicted computer engineer Essam Koshak of posting tweets that “infringe on public order and religious values” and sentenced him to four years in prison followed by a four-year ban on travel and social media usage. According to multiple NGOs, Koshak tweeted in support of the 2017 social media campaign #EndMaleGuardianship, organized by HRW. According to court documents and trial observations, the prosecution charged Koshak with creating the #EndMaleGuardianship social media campaign and, in so doing, undermining public order and “violating freedom of expression.”

The press and publications law criminalizes the publication or downloading of offensive sites, and authorities routinely blocked sites containing material perceived as harmful, illegal, offensive, or anti-Islamic. The governmental Communications and Information Technology Commission (CITC) filtered and blocked access to websites it deemed offensive, including adult content, as well as pages calling for domestic political, social, or economic reforms or supporting human rights, including websites of expatriate Saudi dissidents.

The CITC coordinated decisions with the Saudi Arabian Monetary Agency on blocking phishing sites seeking to obtain confidential personal or financial information. Authorities submitted all other requests to block sites to an interagency committee, chaired by the Ministry of Interior, for decision. Under the Telecommunication Act, failure by service providers to block banned sites can result in a fine of five million riyals (\$1.33 million).

The CITC claimed that Facebook removed materials that the CITC deemed offensive but that Twitter ignored all CITC requests. In 2016 the CITC announced it was no longer blocking any free voice, video, or messaging services after criticisms on social media that these services had been blocked. In September 2017 the CITC announced the unblocking of calling features for private messenger apps that met regulatory requirements in the country, such as Facebook Messenger, FaceTime, Snapchat, Skype, Line, Telegram, and Tango. Other video-calling apps, including WhatsApp and Viber, however, reported services were still blocked.

The government continued blocking Qatari websites such as *al-Jazeera*, an action it began in May 2017, due to a dispute between Qatar and a group of countries that included Saudi Arabia.

In June 2017 Ministry of Information spokesperson Hani al-Ghofaily stated that writing for blocked websites, providing them with materials to publish, or promoting alternative addresses to access them is a crime under the anti-cybercrimes law.

The government reportedly collected information concerning the identity of persons peacefully expressing political, religious, or ideological opinions or beliefs online.

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

The government restricted some public artistic expression but opened up cultural expression in a number of areas. 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 2016 King Salman issued royal decrees creating the General Authority for Entertainment (GEA) and the General Authority for Culture, with a mandate to expand the country's entertainment and cultural offerings in line with its social and economic reform plan, known as Vision 2030. During the year the GEA sponsored events dedicated to film, comics, music, and dance. On June 2, King Salman issued a royal order creating the Ministry of Culture, separating it from the Information Ministry, and appointed Prince Badr bin Abdullah bin Mohammed bin Farhan Al Saud as its minister. On April 18, the country's first cinema in more than 35 years opened after a ban was lifted in 2017. AMC Entertainment was granted the first license to operate cinemas in the country and was expected to open more theaters over the next five years, according to state media.

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

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

#### **Freedom of Peaceful 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, and security forces reportedly arrested

demonstrators and detained them for brief periods. Security forces at times allowed a small number of unauthorized demonstrations throughout the country.

On March 27, security forces arrested 32 citizens and referred them to the public prosecutor for illegally gathering in front of Taif governorate headquarters to protest the removal of unlicensed housing structures built on government land, according to the Ministry of Interior.

CPVPV and other security officers also restricted mixed gender gatherings of unrelated men and women in public and private spaces (see section 1.f.).

### **Freedom of Association**

The law provided for limited freedom of association, however, the government strictly limited this right. In 2016 a law came into effect known as the Law on Associations and Foundations (Civil Society Organizations Law), which for the first time provided a comprehensive legal framework to govern the establishment, operation, and supervision of associations and foundations. The government, however, 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 Labor and Social Development 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, to delay and effectively deny licenses to associations.

On January 25, the SCC sentenced Mohammad al-Otaiby and Abdullah al-Attawi, founding members of the Union for Human Rights (known in Arabic as “al-Ittihad”) to 14 and seven years in prison, respectively, for “participating in setting up an organization and announcing it before getting an authorization,” “spreading chaos, inciting public opinion and publishing statements harmful to the kingdom and its institutions,” and “publishing information about their interrogations despite signing pledges to refrain from doing so,” according to media and NGO reporting.

In 2013 and 2014, the few local NGOs that had operated without a license ceased operating after authorities ordered them disbanded. While ACPRA maintained a presence on social media networks such as Twitter, the government severely curtailed its operations and closed down its website. On February 28, the SCC sentenced lawyer and ACPRA member Issa al-Nukheifi to six years in prison

(three years under the anti-cybercrimes law and three years under *ta'zir*, or “discretionary” sentencing), followed by a six-year ban on social media and travel outside of the country, based on charges of “infringing on the public order and religious values,” “communicating with members of ACPRA,” “opposing Saudi Arabia’s intervention in Yemen,” and related charges. Al-Nukheifi was detained in 2016 and charged in August 2017 under provisions of both the 2014 Counterterrorism Law and the 2008 Anti-Cybercrimes Law.

Government-chartered associations limited membership only to citizens.

### **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**

The law does not contain provisions for freedom of internal movement, foreign travel, emigration, and repatriation.

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

In-country Movement: The government generally did not restrict the free movement of male citizens within the country, but it severely restricted the movement of female citizens. While the guardianship system does not require 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 within the country, courts sometimes ruled that women should abide by a male guardian’s request to stay at home by “occasionally upholding a guardian’s right to obedience from his female dependents,” according to a HRW report.

In April 2017 King Salman issued a royal decree ordering all government agencies to review their guardianship laws and to provide, within three months, their understanding of the legal basis for withholding services to women. The stated goal was to avoid denying government services to women who do not present a male guardian’s consent except when law or regulations explicitly require it. At

year's end the results of the government's review of its guardianship laws had not been announced.

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 who are 15 or older to possess a NIC. In 2012 the Ministry of Interior announced it would start issuing NICs to all female citizens at the age of 15, phasing in the requirement over a seven-year period. There was minimal information available regarding whether this initiative was successfully implemented.

On June 24, the country lifted its longstanding ban on women driving. The process of issuing licenses, however, was slowed by the small number of training schools available to women and the high cost of driver's education for women, which was four to five times as expensive as men's fees. As a result, there were waiting lists for driving classes.

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. Females of any age, males younger than 21, and other dependents or foreign citizen workers under sponsorship require a male guardian's consent to travel abroad. According to Ministry of Interior regulations, a male guardian must apply for and collect a passport for women and minors. 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. If a wife's guardian is deceased, a court may grant the permission. Government entities can ban the travel of citizens and noncitizens without trial, and male family members can "blacklist" women and minor children, prohibiting their travel. In December the General Directorate of Passports announced that divorced Saudi women older than 21 who possess a NIC with at least three months' validity may travel to other Gulf Cooperation Council member states (Bahrain, Kuwait, Oman, Qatar, and the United Arab Emirates) without the consent of a male guardian.

Employers or sponsors controlled the departure of foreign workers and residents from the country; employers or 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. Foreign workers typically provided sponsors with their

residence permit before traveling in exchange for their passport to ensure the worker's return to their employer after their travel.

The government reportedly confiscated passports for political reasons and revoked the rights of some citizens to travel, often without providing them notification or opportunity to contest the restriction. Most travel bans reportedly involved individuals in court cases relating to corruption; state security concerns; or labor, financial, and real estate disputes. Many relatives of citizens detained in relation to the government's anticorruption campaign, as well as relatives of detained clerics and human rights activists, were also reportedly under travel bans.

### **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. The government permitted UNHCR-recognized refugees to stay in the country temporarily pending identification of a durable solution, including third-country resettlement or voluntary repatriation. The government generally did not grant asylum or accept refugees for resettlement from third countries. Government policy is to refuse 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.

The government granted six-month visas to Syrian and Yemeni nationals, and a royal decree allowed pro forma extensions of these visas. On May 9, the International Organization for Migration (IOM) urged the government not to deport Yemeni migrants to war zones, affirming that it expelled 17,000 Yemeni migrants between January and May. An estimated 700,000 Yemeni migrants worked in Saudi Arabia, according to IOM. In April then foreign minister Adel al-Jubeir said that since the start of the Syrian conflict, the country had taken in approximately two and one-half million Syrians and treated them as its own citizens, providing them with free health care, work, and education. He added that Saudi universities and schools had more than 140,000 Syrian students.

The government did not recognize the right of Saudi citizens to petition for access to asylum or refugee status in third countries. In several cases the government prosecuted and penalized Saudi citizens who sought asylum in third countries, according to multiple sources (see section 2.b., Freedom of Association).

Employment: Refugees and asylum seekers were generally unable to work legally, although Syrian and Yemeni nationals who possessed a temporary visa could obtain a visitor card (*za'ir*) from the Ministry of Interior, which reportedly allows these nationals to work. The renewable permits are valid for up to six months and tied to the validity period of their temporary visas; men between the ages of 18 and 60 were eligible to apply. In September 2017 the General Directorate of Passports allowed Yemeni men to convert their visitor identification card to a residency permit if their Yemeni passport and visitor identification card were valid.

Access to Basic Services: The government reserves access to education, health care, public housing, courts and judicial procedures, legal services, and other social services to citizens only. A royal decree issued in 2012 permits all Syrians in Saudi Arabia free access to the educational system, and a separate decree issued in 2015 gives Yemenis in Saudi Arabia free access to schools. The Ministry of Education announced in February that Syrian and Yemeni students holding visitor identification cards were no longer allowed to enroll in public schools and universities and would have to enroll in private ones at their own expense. The UNHCR office in Riyadh provided a subsistence allowance covering basic services to a limited number of vulnerable families, based on a needs assessment. Authorities worked with UNHCR to provide medical treatment, also following a needs assessment.

### **Stateless Persons**

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

Citizenship is legally derived only from the father. Children born to an unmarried citizen mother who is not legally affiliated with the citizen father may be considered stateless, even if the father recognized the child as his, or if the government did not authorize the marriage of a citizen father and a noncitizen mother prior to birth of the children. The nationality laws do not allow Saudi women married to foreign nationals to pass their nationality to their children, except in certain circumstances such as fathers who are unknown, stateless, of unknown nationality, or do not establish filiation. Sons of citizen mothers and noncitizen fathers may apply for citizenship once they turn 18 (if not already granted citizenship at birth under certain circumstances); daughters in such cases can obtain citizenship only through marriage to a Saudi man. A child may lose legal identification and accompanying rights if authorities withdraw identification documents from a parent (possible when a naturalized parent denaturalizes

voluntarily or loses citizenship through other acts). Since there is no codified personal status law, judges make decisions regarding family matters based on their own interpretations of Islamic law.

Foreign male spouses of female citizens are entitled to permanent residency in the country without needing a sponsor, and they receive free government education and medical benefits. These spouses are also included in the quota of Saudis employed in private companies under the *nitaqaat*, or labor quota system, which improves their employment prospects. Female citizens must be between the ages of 30 and 50 in order to marry a non-Saudi man. Non-Saudi wives of Saudi men receive more rights if they have children resulting from their marriage with a Saudi man. Male citizens must be between the ages of 40 and 65 in order to marry a non-Saudi woman. The extent to which those strictures were enforced was unclear; there was anecdotal evidence that they were not uniformly enforced. Children of Saudi women who are married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother.

In past years UNHCR unofficially estimated there were 70,000 stateless persons in the country, almost all of whom were native-born residents known locally as *Bidoon* (an Arabic word that means “without” [citizenship]). Updated information on stateless persons was not available. *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. 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. The General Directorate of Passports issued special identification 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 citizens.

There were also some Baloch, West Africans, and Rohingya Muslims from Burma, but only a small portion of these communities was stateless. Many Rohingya had expired passports that their home government refused to renew, or had entered the country with fraudulent travel documents. UNHCR estimated there were between

250,000 and 500,000 Rohingya in the country. Some of these individuals benefited from a prior program to correct their residency status; in 2014 the government issued nearly 200,000 four-year residency permits to Rohingya who entered the country prior to 2008. Rohingya who arrived in the country after 2008 were not eligible for residency permits, although NGOs reported that Rohingya, including those without legal residency, were generally not subject to deportation prior to 2018. Upon the expiration of Rohingya residency permits in 2018, media reported more than 100 Rohingya faced deportation to Bangladesh at year's end and hundreds more were in detention at Shumaisi Detention Center near Mecca. 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.

### **Section 3. Freedom to Participate in the Political Process**

The law does not provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage; it establishes an absolute monarchy led by the Al Saud family as the political system. The Allegiance Council, composed of up to 34 senior princes appointed by the king, is formally responsible for selecting a king and crown prince upon the death or incapacitation of either. Only select 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 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 through *majlis*, open-door meetings where in theory any male citizen or noncitizen may express an opinion or a grievance without 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.

### **Elections and Political Participation**

Recent Elections: In 2015 elections were held for two-thirds of the 3,159 seats on 284 municipal councils; the government appointed the remaining third. Council

members serve four-year terms. Women were allowed to vote and run as candidates for the first time. The voting age was also lowered universally to 18 years. The Ministry of Municipal and Rural Affairs actively encouraged women's participation in the municipal elections. Election regulations prohibited candidates from contesting under party affiliation. Twenty-one women won seats and 17 were appointed to seats, totaling approximately 1 percent of all available seats.

The NSHR observed the elections, and select international journalists were also permitted to observe. Independent polling station observers identified no irregularities with the election. Prior to the election, several candidates reported they were disqualified for "violating the rules and regulations," without further explanation. They had the right to appeal, and some were reinstated in time for the elections. Uniformed members of the security forces, including the military and police, were ineligible to vote.

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. In November 2017 implementing regulations for the 2017 counterterrorism law were published; however, implementation regulations for the 2014 counterterrorism law (issued by the Ministry of Interior in March 2014) remain in place, as they explicitly and specifically banned a number of organizations with 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.

Participation of Women and Minorities: Gender discrimination excluded women from many aspects of public life. Women slowly but increasingly participated in political life, albeit at a disadvantage, in part due to guardianship laws requiring a male guardian's permission for legal decisions, restrictions on women candidates' contact with male voters in the 2015 elections, and the ban on women driving, which the government lifted in June. In the 2015 municipal elections, women made up less than 10 percent of the final list of registered voters, according to HRW.

In 2013 former king Abdullah issued a royal decree changing the governance of the Consultative Council, the 150-person royally appointed body that advises the king and may propose but not pass laws. The changes mandate that women constitute no less than 20 percent of the membership of the Consultative Council.

In accordance with the law, in 2013 the council inducted 30 women as full members.

Women were routinely excluded from formal decision-making positions in both government and the private sector, although some women attained leadership positions in business and served in senior advisory positions within government ministries. Women's ability to practice law was limited; there were no women on the High Court or Supreme Judicial Council and no female judges or public prosecutors. The Ministry of Justice, however, announced in February that it was planning to hire 300 women as social, legal, and sharia researchers and administrative assistants in the first stage of its female employment program, following a decision by Minister of Justice Walid Al-Samaani to find vacancies for Saudi women in four sectors. As of November 14, the ministry appointed at least 213 female employees. On February 12, the PPO announced it would recruit women as lieutenant investigators for the first time. Furthermore, women lawyers were granted the right to obtain a notarization permit that allows them to assume some of the functions of public notaries effective March 12.

In August the General Authority of Civil Aviation issued five licenses to Saudi female pilots, permitting them to work as captains on Saudi Arabian Airlines aircraft.

On September 10, the Presidency of the Two Holy Mosques appointed 41 female employees to leadership positions in the women's public administration.

During the year the most senior position held by a woman in government was Deputy Minister of Labor and Social Development Tamadur Al-Rammah. She was also appointed supervisor of the Social Welfare and Family Agency.

The country had an increasing number of female diplomats. Bureaucratic procedures largely restricted women working in the security services to employment in women's prisons, at women's universities, and in clerical positions in police stations, where they were responsible for visually identifying other women, for example wearing niqabs, for law enforcement purposes.

In February the General Directorate of Public Security allowed women to apply to join the military in the enlisted ranks.

No laws prevent citizen males from minority groups from participating in political life on the same basis as other male citizens. Societal discrimination, however,

marginalized the Shia population, and 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 cabinet members from tribal communities were members of urbanized “Hamael” tribes, rather than Bedouin tribes. While the religious affiliation of Consultative Council members was not known publicly, the council included an estimated seven or eight Shia members. In contrast with previous years, the cabinet contained one religious minority member. Multiple municipal councils in the Eastern Province, where most Shia were concentrated, had large proportions of Shia as members to reflect the local population, including a majority in Qatif and 50 percent in al-Ahsa. Eastern Province Shia judges dealing with intra-Shia personal status and family laws operated specialized courts.

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

The law provides criminal penalties for official corruption. 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).

Nazaha, established by former king Abdullah in 2011, is responsible for promoting transparency and combating all forms of financial and administrative corruption. The relationship between Nazaha and the newly established Supreme Anti-Corruption Committee was unclear. Nazaha’s ministerial-level director reported directly to the king. In 2015 the Shura Council criticized Nazaha for its failure to refer for investigation a sufficient number of corruption cases. The council also stated the public did not believe Nazaha could handle its responsibility to investigate and punish corruption. The Control and Investigation Board remains responsible for investigating financial malfeasance, and the PPO has the lead on all criminal investigations. The HRC 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: Nazaha continued operations and referred cases of possible public corruption to the PPO. Nazaha reportedly received 15,000 reports during the year.

On January 28, local media reported that the Supreme Judicial Council had established two criminal units in the criminal courts of Riyadh and Jeddah to review cases of detainees arrested in the November 2017 anticorruption campaign who did not reach financial settlements with the government. On March 11, King Salman ordered the establishment of specialized departments in the PPO to investigate and prosecute corruption cases. According to the public prosecutor, corruption cases were handled by the PPO's Public Office Crimes Circuit before the creation of the new criminal court units.

On March 5, local media reported that administrative investigation authorities arrested 8,874 suspects in administrative corruption cases in the previous year, including 6,374 Saudis and 2,473 foreigners. On February 5, local media reported that the PPO received 977 cases of misuse of public funds in a single week.

On July 10, authorities arrested a defense ministry official on charges of receiving a one million riyal (\$267,000) bribe and abusing his position. The public prosecutor declared the official sought to facilitate irregular procedures for the disbursement of financial dues to a company, taking advantage of his professional influence. At year's end there were no further updates.

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

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

The law provides that “the State shall protect human rights in accordance with Islamic sharia.” The government restricted the activities of domestic and international human rights organizations. The government did not allow international human rights NGOs to be based in the country and restricted access to the country for visits. International human rights and humanitarian NGOs reported that the government was at times unresponsive to requests for information and did not establish a clear mechanism for communication with NGOs on both domestic human rights issues and issues relating to the conflict in Yemen. There were no transparent standards governing visits by international NGO representatives. The HRC stated that the government welcomed visits by legitimate, unbiased human rights groups but added the government could not act on the “hundreds of requests” it received, in part because it was cumbersome to decide which domestic agencies would be their interlocutor.

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 local human rights groups with suspicion, frequently blocking their websites and charging their founders with founding and operating unlicensed organizations.

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. The well-resourced HRC was effective in highlighting problems and registering and responding to the complaints it received, but its capacity to effect change was more limited. The HRC worked directly with the Royal Diwan and the cabinet, with a committee composed of representatives of the Consultative Council and the Ministries of Labor and Social Development 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 reformers that would require directly confronting government authorities. The HRC board's 18 full-time members included four women and at least three Shia; they received and responded to complaints submitted by their constituencies, including problems related to persons with disabilities, 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 chairperson of the committee.

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

### **Women**

Rape and Domestic Violence: Rape is a criminal offense under sharia with a wide range of penalties from flogging to execution. The law does not recognize spousal rape as a crime. The government enforced the law based on its interpretation of sharia, and courts often punished victims as well as perpetrators for illegal "mixing

of genders,” even when there was no conviction for rape. Victims also had to prove that the rape was committed, and a woman’s testimony in court was not always accepted.

Due to these legal and social obstacles, authorities brought few cases to trial. Statistics on incidents of, and prosecutions, convictions, or punishments for rape were not available, but press reports and observers indicated rape was a serious problem. Moreover, most rape cases were likely unreported because victims faced societal and familial reprisal, including diminished marriage opportunities, criminal sanction up to imprisonment, or accusations of adultery or sexual relations outside of marriage, which are punishable under sharia.

The law against domestic violence provides a framework for the government to prevent and protect victims of violence in the home. The law defines domestic abuse broadly and criminalizes domestic abuse with penalties of one month to one year of imprisonment or a fine of 5,000 to 50,000 riyals (\$1,330 to \$13,300), unless a court provides a harsher sentence.

Researchers stated it was difficult to gauge the magnitude of the problem, which they believed to be widespread. The National Family Safety Program (NFSP), a quasi-governmental organization under the Ministry of National Guard, was founded in 2005 to spread awareness of and combat domestic violence, including child abuse, and continued to report abuse cases.

Officials stated the government did not clearly define domestic violence and procedures concerning cases, including thresholds for investigation or prosecution, and thus enforcement varied from one government body to another. Some women’s rights advocates were critical of investigations of domestic violence, claiming investigators were hesitant to enter a home without permission from the male head of household, who may also be the perpetrator of violence. Some activists also claimed that authorities often did not investigate or prosecute cases involving domestic violence, instead encouraging victims and perpetrators to reconcile in order to keep families intact regardless of reported abuse. There were reports of police or judges returning women directly to their abusers, most of whom were the women’s legal guardians.

On March 8, a woman from Sabya Governorate in the southwestern Jazan Province appeared in a video pleading for help after her older brother and his family allegedly beat her and threw her out of a house she shared with them, along with her ill mother and her two children. She explained that when she went to report the

abuse to police, they asked her to bring her male guardian. When the video went viral on social media, the Ministry of Labor and Social Development announced its Social Protection Unit in Jazan intervened and was studying her case. At year's end there were no known updates to this case.

The government made efforts to combat domestic violence. During the year the King Abdulaziz Center for National Dialogue held workshops and distributed educational materials on peaceful conflict resolution between spouses and within families. The Ministry of Labor and Social Development administered government-supported family-protection shelters. The HRC received complaints of domestic abuse and referred them to other government offices. The HRC advised complainants and offered legal assistance to some female litigants. The organization provided services for children of female complainants and litigants and distributed publications supporting women's rights in education, health care, development, and the workplace.

Saudi women reported that domestic abuse in the form of incest was common but seldom reported to authorities due to fears over societal repercussions, according to local contacts.

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

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. On May 29, the Council of Ministers passed the antisexual harassment law, which carries a maximum penalty of up to five years in prison and a fine of up to 300,000 riyals (\$80,000). No statistics were available on the incidence of sexual harassment due to past reluctance to report violations. On August 8, the public prosecutor stated that the number of reported harassment cases was low and claimed the law was effective in limiting this crime. Employers in many sectors maintained separate male and female workspaces where feasible, in accordance with law.

On July 14, authorities arrested a young woman who jumped on stage to hug a male singer during a concert in the western city of Taif. Prosecutors announced that the woman would face charges pursuant to the antisexual harassment law, under which she could face two years in prison and a fine of up to 100,000 riyals (\$26,700) if convicted.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Women continued to face significant discrimination under law and custom, and many remained uninformed about their rights.

The law does not provide for the same legal status and rights for women as for men, and since there is no codified personal status law, judges made decisions regarding family matters based on their interpretations of Islamic law. 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 they often are not treated as equal members in the political and social spheres. 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. In September a personal status court in Jeddah ordered a father to obtain a passport for his 24-year-old daughter so that she could resume her studies abroad. Women also require a guardian’s permission to exit prisons after completing their terms.

Women, however, can make their own determinations concerning hospital care. Women can work without their guardian’s permission, but some employers required women to have such permission, even though the law prohibits the practice. On February 15, the Ministry of Commerce and Investment announced women no longer need their male guardian’s permission to start a business.

On June 24, the government lifted its ban on women driving. *The New York Times* reported long delays in placement of female students in driving schools due to a limited number of teaching facilities and female staff for gender-segregated programs, and long delays obtaining driver’s licenses. On July 4, two men were arrested in Mecca for setting fire to a female motorist’s car. The motorist, Salma Al-Sherif, subsequently posted a widely circulated video on social media documenting the incident, claiming that her car was deliberately set alight by men “opposed to women drivers,” and that she had been repeatedly threatened and harassed by young men from her village of Samad in Mecca Province. On October 28, the Mecca Criminal Court acquitted the two defendants for lack of sufficient evidence. Al-Sherif appealed the verdict. On December 17, arsonists reportedly set fire to another car of a Jeddah woman, Nurhan Bassam, who was reportedly burned by arsonists.

Nationality law discriminates against women, who cannot directly transmit citizenship to their children, particularly if the children's father is a noncitizen (see section 2.d. and section 6, Children). 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 obtain government permission if they intend to marry citizens from countries other than Gulf Cooperation Council member states (Saudi Arabia, Bahrain, Kuwait, Oman, Qatar, and the United Arab Emirates). Regulations prohibit men from marrying women from Pakistan, Bangladesh, Chad, and Burma. The government additionally requires Saudi men wishing to marry a second wife who is a foreigner to submit documentation attesting to the fact that his first wife was disabled, had a chronic disease, or was sterile.

Widespread societal exclusion enforced by, but not limited to, state institutions restricted women from using many public facilities. The law requires women to sit generally in separate, specially designated family sections in public places. 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 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 June a female television presenter, Shireen al-Rifaie, fled the country after authorities launched an investigation into claims that she wore an outfit deemed "indecent" by the Saudi General Commission for Audiovisual Media. Al-Rifaie was reporting on the end of the ban on women driving when her white *abaya* was blown open by the wind, revealing her clothes underneath.

Women also faced discrimination in courts, where in some cases the testimony of one man equals that of two women. All judges are male, and women faced restrictions on their practice of law (see section 3, Participation of Women and Minorities). In divorce proceedings women must demonstrate legally specified grounds for divorce, but men may divorce without giving cause, citing "irreconcilable differences." 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. Men may be forced, however, to make subsequent alimony payments by court order. The government began implementing an identification system based

on fingerprints designed to provide women, such as those wearing a niqab, more access to courts.

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 *adhI* (male guardians refusing to approve the marriage of women under their charge). In such *adhI* cases, the judge assumes the role of the guardian and may approve the marriage. During the year courts adjudicated as many as 72 *adhI* cases and executed marriage contracts for women whose male custodians refused to approve their marriage, according to informed judicial sources quoted by local media.

Courts often 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. In March Justice Minister Sheikh Walid Al-Samaani directed all courts to drop the requirement for divorced women to file a lawsuit in order to gain custody of their children. Provided there were no disputes between the parents, mothers may now simply submit a request to the relevant court, without the need for legal action.

Inheritance laws also discriminate against women, since daughters receive half the inheritance awarded to their brothers.

According to recent surveys, women constituted 52 percent of public education and higher education students. Segregated education through university level was standard. 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 an abaya, 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.

On March 12, the UN Committee on the Elimination of Discrimination against Women urged the country to end discriminatory practices against women, including its system of male guardianship, and give women full access to justice.

## Children

Birth Registration: Citizenship derives from the father, and only the father may register a birth. There were cases of authorities denying public services to children of citizen parents, including education and health care, because the government failed to register the birth entirely or had not registered it immediately, sometimes because the father failed to report the birth or did not receive authorization to marry a foreigner. Children of women who were married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother (see section 2.d., Stateless Persons).

Child Abuse: Abuse of children occurred. In 2016 the NFSP started a Child Helpline dedicated to assisting children in matters ranging from bullying to abuse. The helpline provided counseling, tracking, and referrals to social services. In January NFSP official Maha al-Muneef reported that the child helpline received 270,000 calls annually, including 2,990 cases of abuse and neglect, 2,589 cases related to family violence, and 1,050 cases of school violence. The Ministry of Labor and Social Development had 17 Social Protection Units across the country providing social protection to children younger than 18 and vulnerable populations suffering domestic violence and abuse.

On July 17, authorities arrested a Saudi-based Yemeni mother who beat and tortured her six-month-old twin girls on camera for money. Video footage of the two babies being slapped and strangled went viral and sparked outrage.

Early and Forced Marriage: The law does not specify a minimum age for marriage, although Ministry of Justice guidelines referred marriage applications to sharia courts to determine the validity of a marriage when the bride was younger than 16. Families sometimes arranged such marriages 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 consummation of the marriage. 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. There were media reports that some men who traveled abroad to find brides sought to marry minors. 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.

Sexual Exploitation of Children: The anti-cybercrimes law stipulates that punishment for such crimes, including the preparation, publication, and promotion of material for pornographic sites, may be no less than two and one-half years'

imprisonment or a fine of 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 Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

### **Anti-Semitism**

There was no known data on Jewish citizens and no statistics available concerning the religious denominations of foreigners.

Cases of government-employed imams using anti-Jewish 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. 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.

Anti-Semitic material remained in school textbooks and online in private web postings, and some journalists, academics, and clerics made anti-Israel comments that sometimes strayed into anti-Semitism.

### **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, the judicial system, 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 could generally participate in civic affairs, and there were no legal restrictions preventing persons with disabilities from voting in municipal council elections. The Ministry of Labor and Social Development was responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities into the mainstream. Persons with disabilities were elected and appointed to municipal councils in 2015, and two individuals with disabilities served on the consultative Shura Council, which was reconstituted in 2016.

On June 12, Deputy Minister of Labor and Social Development Tamadur al-Rammah stated the government was working on a national strategy for persons with disabilities, including 23 initiatives designed to serve them, adding that a special commission was established to oversee the affairs of persons with disabilities.

### **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. On February 5, the NSHR said it had noted several instances of racial discrimination on the basis of nationality at some service facilities where some customers were denied services based on their nationality. A tolerance campaign by 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.

The government's multi-year Tatweer project to revise textbooks, curricula, and teaching methods to promote tolerance and remove content disparaging religions other than Islam began in 2007. In November the Anti-Defamation League issued a report asserting that Saudi textbooks still contained anti-Semitic language.

### **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, transgender, and intersex (LGBTI) organizations did not operate openly, nor were there LGBTI rights advocacy events of any kind. There were reports of official and societal discrimination, physical violence, and harassment based on sexual orientation or gender identity in employment, housing, access to education, and health care. Stigma or intimidation acted to limit reports of incidents of abuse.

There were no government efforts to address discrimination. In 2016 newspapers quoted PPO officials as stating the bureau would seek death sentences for anyone using social media to solicit homosexual acts. There were no reports, however, that the PPO sought death sentences in LGBTI cases during the year (see section 1.a.).

On January 8, police reported they arrested and referred to prosecutors several young men who appeared in a video described as a “gay wedding scene.” No updates on the case were publicly available.

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

There were no reports of 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**

Social, legal, economic, and political discrimination against the country’s Shia minority continued. HRW claimed that some state clerics and institutions “incited hatred and discrimination against religious minorities, including the country’s Shia Muslim minority.”

To address the problem, the Ministries of Defense and Interior and the National Guard included antidiscrimination training in courses run by the King Abdulaziz

Center for National Dialogue for police and other law enforcement officers (see section 6, Other Societal Violence and Discrimination).

In August the public prosecutor ordered the arrest of a Saudi man who appeared in a video carrying machine guns and threatening to kill Shia citizens in the southern city of Najran.

## **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.

The government did not respect freedom of association and the right to collective bargaining. There were no labor unions in the country, and workers faced potential dismissal, imprisonment, or, in the case of migrant workers, deportation for union activities.

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 approves the committee members and authorizes ministry and employer representatives to attend committee meetings. Committee members must submit the minutes of 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 October 2017 the NSHR said it registered 289 labor-related complaints in 2016-17 that it sought to resolve through settlements.

On April 15, Riyadh Governor Prince Faisal bin Bandar Al Saud warned against illegal assemblies by workers to protest delayed salaries. He advised that foreign workers should seek recourse from the offices of provincial governors and legal processes, and he reiterated the importance of both employers' and employees' abiding by their contractual obligations.

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

The law prohibits forced or compulsory labor, but the government did not effectively enforce legal protections for migrant workers. Forced labor occurred, especially among migrant workers--notably domestic servants. 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. Labor law prohibits the confiscation of passports and nonpayment of wages. Violations of labor laws resulted in fines of up to one million riyals (\$267,000), prison terms up to 15 years, and restrictions on the entity's ability to recruit foreign workers. Many noncitizen workers, particularly domestic employees not covered under the labor law, were unable to exercise their right to end their contractual work. An employer may require a trainee to work for him or her upon completion of training for a period not to exceed twice the duration of the training or one year, whichever is longer.

Restrictive sponsorship laws increased workers' vulnerability to forced labor conditions and made many foreign workers reluctant to report abuse. The contract system does not allow workers to change employers or leave the country without the written consent of the employer under normal circumstances. If wages are withheld for 90 days, a ministerial decree permits an employee to transfer his or her sponsorship to a new employer without obtaining prior approval from the previous employer. There were reports, however, that the Ministry of Labor and Social Development did not always approve petitions to transfer sponsorship due to withheld wages, including some cases in which wages had been withheld for more than three months. During the year numerous migrant workers reported being laid off, sometimes after months of nonpayment of salaries. Some remained stranded in the country because they were unable to pay required exit visa fees. A few countries that previously allowed their citizens to migrate to the country for work prohibited their citizens from seeking work there after widespread reports of worker abuse.

The government continued implementation of the Wage Protection System (WPS), which requires employers to pay foreign workers through bank transfers, thereby allowing the ministry to track whether workers were paid appropriately. All employers with more than 10 employees were required to comply with WPS regulations as of August 2017. WPS covers 6.4 million employees. The Ministry of Labor and Social Development fined companies 3,000 riyals (\$800) for delaying payment for employees' salaries on the first occurrence and blocked companies

from accessing government services if a company delayed salaries for two or more months.

Throughout the year the government strictly implemented measures to limit the number of noncitizen workers in the country. The government also penalized Hajj tourist agencies that engaged in human trafficking and local companies that abused the country's visa laws to bring individuals into the country for reasons other than to employ them directly. A smaller number came as religious pilgrims and overstayed their visas. Because of their undocumented status, many persons in the country were susceptible to forced labor, substandard wages, and deportation by authorities.

On February 17, the public prosecutor warned that involvement in trafficking-in-persons crimes carries a fine of up to one million riyals (\$267,000), a prison term up to 15 years, or both.

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 prohibits the worst forms of child labor. The law provides that no person younger than 15 may legally work unless that person is the sole source of support for the family. Children between the ages of 13 and 15 may work if the job is not harmful to health or growth and does not interfere with schooling. The law provides that hazardous operations or harmful industries may not employ legal minors, and children younger than 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 NSHR are responsible for monitoring enforcement of 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. Authorities most commonly enforced the law in response to complaints of children begging on the streets.

Most child labor involved children from other countries, including Yemen and Ethiopia, forced into begging rings, street vending, and work in family businesses.

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

Labor laws and regulations do not prohibit discrimination on the basis of race, color, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation or gender identity, age, language, or HIV-positive status. Discrimination with respect to employment and occupation occurred with respect to all these categories.

The Ministry of Labor and Social Development explicitly approved and encouraged the employment of women in specific sectors, particularly in government, but women faced many discriminatory regulations. The first-quarter *Labor Market Report* by the General Authority for Statistics found that Saudi girls and women (15 years of age and above) constituted 8 percent of the country's total labor force (Saudi and non-Saudi, 15 years of age and above). The same report estimated that women and girls, both Saudi and foreign, represented 21 percent of all employed persons (15 years of age and above) in the country. Most non-Saudi women were employed as domestic workers. Rules limited the type of work women were allowed to perform and required them to wear a veil. In practice gender segregation continued to take place in the workplace.

There is no regulation requiring equal pay for equal work. In the private sector, the average monthly wage of Saudi women workers was 58 percent of the average monthly wage of Saudi men. Labor dispute settlement bodies did not register any cases of discrimination against women.

Regulations ban women from 24 professions, mostly in heavy industry, but create guidelines for women to telework. Nevertheless, some factories and manufacturing facilities, particularly in Eastern Province, employed men and women, who worked separate shifts during different hours of the day. The law grants women the right to obtain business licenses without 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. It is illegal for a potential employer to ask a female applicant for her guardian's permission when she applies for a job. In medical settings and the energy industry, women and men worked together, and in some instances women supervised male employees. Women who work in establishments with 50 or more female employees have the right to maternity leave and child care.

Discrimination with respect to religious beliefs occurred in the workplace. Members of the Shia community complained of discrimination based on their

religion and had difficulty securing or being promoted in government positions. Shia were significantly underrepresented in national security-related positions, including the Ministries of Defense and Interior and the National Guard. In predominantly Shia areas, Shia representation was higher in the ranks of traffic police, municipalities, and public schools. A very small number of Shia occupied high-level positions in government-owned companies and government agencies (see section 3, Participation of Women and Minorities). Shia were also underrepresented in employment in primary, secondary, and higher education.

Discrimination against Asian and African migrant workers occurred (see section 6, National/Racial/Ethnic Minorities). The King Abdulaziz Center for National Dialogue continued programs that sought to address some of these problems and 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 worker abuse.

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

In November 2017 the Ministry of Interior's General Directorate of Passports announced a national campaign to identify, arrest, fine, and deport individuals found in violation of the country's residency laws under the title of "Nation Without Violators." The campaign began with a 90-day grace period or general amnesty to allow irregular migrants to depart the country "without penalty," after which authorities extended the grace period in coordination with international organizations. In September the Ministry of Interior stated more than 1.77 million foreign nationals were arrested between November 2017 and September 2018 for violating work, residence, and entry rules. Approximately 449,220 violators were deported during the cited period, according to the ministry. The Human Rights Committee reported that law enforcement agencies had been trained in screening vulnerable populations for human trafficking indicators and the campaign was being carried out in accordance with protections against trafficking in persons.

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

The monthly minimum wage for public-sector employees was 3,000 riyals (\$800) which is above the estimated poverty income level. There was no private-sector minimum wage for foreign workers; as of November 2017, the government did not mandate a general minimum private-sector wage for citizens.

By law a standard workday is eight hours. A standard workweek is 48 hours but can extend to 60 hours, subject to payment of overtime, which is 50 percent more than the basic wage.

An estimated 10 million noncitizens, including approximately 947,000 noncitizen women, made up approximately 76 percent of the labor force, according to the General Authority for Statistics first-quarter *Labor Market Report*. Legal workers generally negotiated and agreed to work conditions prior to their arrival in the country, in accordance with the contract requirements contained in the labor law.

The law provides penalties of between 500 and 1,000 riyals (\$133 and \$267) for bringing foreigners into the country to work in any service, including domestic service, without following the required procedures and obtaining a permit.

The labor law provides for regular safety inspections and enables ministry-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 worked with the Ministry of Labor and Social Development 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 ministry employed nearly 1,000 labor inspectors.

The law requires that a citizen or business must sponsor foreign workers in order for them to obtain legal work and residency status, although the requirement exempts Syrian and Yemeni nationals who overstayed their visas. On May 9, however, IOM said 17,000 Yemenis were turned back between January and May due to their immigration status. The ministry-implemented measures allowing noncitizen workers to switch their employer to a new employer or company that employed a sufficient quota of Saudi nationals. Despite these revised measures, some workers were unaware of the new regulations and had to remain with their sponsor until completion of their contract or to 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 the workers' 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 employees

from departing the country until the dispute was resolved; however, authorities would not jail or forcibly return fleeing workers who sought to exit the country within a 72-hour period or to coordinate with their embassy for repatriation as long as the employees did not have criminal charges or outstanding fines pending against them.

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

The government engaged in news campaigns 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 HRC broadcast a public awareness program on television emphasizing the Islamic injunction to treat employees well.

The government did not always enforce the laws protecting migrant workers effectively. There were credible reports that some migrant workers were employed on terms to which they had not agreed and experienced problems, such as delays in the 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. On July 15, local media reported that approximately 50 percent of the companies in the construction sector, which employs an estimated 3.5 million expatriates, failed to pay salaries due to stalled projects dating back to 2016, in addition to the government's failure to pay money it owed to the companies working on government projects.

There were credible reports that some noncitizen workers, particularly domestic employees, were unable 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 asked authorities to prevent the employee from leaving the country until resolution of the dispute to coerce the employee into accepting a disadvantageous settlement or risking deportation without any settlement.

On July 18, the ESOHR called on authorities to resolve a five-year labor dispute between Tunisian citizen Jannat bint Shubail bin Nahila and the Ministry of Health and allow her and her family to leave the country. According to ESOHR, the ministry arbitrarily fired Bin Nahila from her job as a nurse at a government health-care center in al-Baha Province, withheld her passport, and banned her from travel until the labor dispute was resolved.

Foreign workers could contact the labor offices of their embassies for assistance. During the year hundreds of domestic workers, the majority of whom were female, 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 could contact the NSHR, HRC, governmental Inter-ministerial General Secretariat to Combat Human Trafficking, and Migrant Workers' Welfare Department, which provided services to safeguard migrant workers' rights and protect them from abuse. Workers could also apply to the offices of regional governors and lodge an appeal with the Board of Grievances against decisions by those authorities.