

SAUDI ARABIA 2021 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).

The State Security Presidency, National Guard, and Ministries of Defense and Interior, all of which report to the king, are responsible for law enforcement and maintenance of order. The State Security Presidency includes the General Directorate of Investigation (mabahith), Special Security Forces, and Special Emergency Forces; police are under the Ministry of Interior. Civilian authorities generally maintained effective control over the security forces. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: executions for nonviolent offenses; forced disappearances; torture and cases of cruel, inhuman, or degrading treatment of prisoners and detainees by government agents; harsh and life-threatening prison conditions; arbitrary arrest and detention; political prisoners or detainees; harassment and intimidation against Saudi dissidents living abroad; arbitrary or unlawful interference with privacy; collective punishment of family members for offenses allegedly committed by an individual; serious abuses in a conflict, including civilian casualties and damage to civilian infrastructure as a result of airstrikes in Yemen; serious restrictions on free expression and media, including unjustified arrests or prosecutions against journalists and others, and censorship; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; severe restrictions of religious freedom; restrictions on freedom of movement; inability of citizens to choose their government peacefully through free and fair elections; serious and unreasonable

restrictions on political participation; serious government restrictions on domestic and international human rights organizations; lack of investigation of and accountability for gender-based violence, including but not limited to domestic and intimate partner violence; criminalization of consensual same-sex sexual activity; and restrictions on workers' freedom of association, the role of trade unions, and labor committees.

In several cases the government did not investigate, prosecute, or punish officials accused of committing human rights abuses, contributing to an environment of impunity. The government prosecuted some officials for corruption, although there were allegations of significant due process violations and other human rights abuses, including allegations of torture, in these cases.

Houthi militant attacks from Yemen caused civilian casualties and damage to infrastructure.

Section 1. Respect for the Integrity of the Person

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

There were no reports that the government or its agents committed arbitrary or unlawful killings. The Public Prosecutor's Office, which reports to the king, is responsible for investigating whether security force actions were justifiable and pursuing prosecutions. 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 usually reduced on appeal.

On December 30, media reported that at least three of the individuals convicted in connection with the killing of Jamal Khashoggi, including Salah al-Tubaigy, Mustafa al-Madani, and Mansour Abahusseini, were seen living in luxury villas in a government compound near Riyadh. There was no further action on the case during the year.

In September 2020 the Public Prosecutor's Office announced a final verdict in the murder trial of journalist Jamal Khashoggi, killed at the Saudi consulate in Istanbul, Turkey, in 2018.

In January the Saudi Human Rights Commission (HRC) announced a moratorium on the death penalty for drug-related offenses, but as of November the government had not published the relevant changes.

Discretionary (*ta'zir*) death penalty sentences for those who committed crimes as minors are forbidden, and minors' prison sentences are capped at 10 years under an April 2020 royal decree. (The 2018 Juvenile Law sets the legal age of adulthood at 18 based on the Hijri calendar.) Minor offenders, however, who are convicted in *qisas*, a category of crimes that includes various types of murder, or *hudud*, crimes that carry specific penalties under the country's interpretation of Islamic law, still face the death penalty.

On February 8, Human Rights Watch (HRW) reported prosecutors were seeking 10-year prison sentences, rather than the death penalty originally sought, for four men convicted of crimes committed as minors: Ahmad al-Faraj, Ali al-Batti, Ali al-Faraj, and Mohammed al-Faraj. They were arrested in 2017 and 2018 on protest-related charges.

On June 15, the government executed Mustafa Hashem al-Darwish, a 26-year-old Shia citizen convicted of terrorism charges. According to human rights organizations, he was detained in 2015 for alleged participation in riots between 2011 and 2012. The official charge sheet did not specify the dates his alleged crimes took place, making it unclear whether he had turned 18 by that time. Government officials claimed he was executed for other crimes committed as an adult but provided no further information.

On November 10, the Supreme Court overturned the death sentence conviction against Abdullah al-Huwaiti, arrested at age 14 and sentenced to death three years later on murder and armed robbery charges. Although no longer at risk of imminent execution, al-Huwaiti could still be sentenced to death at a later stage, since the case remained open, according to the European-Saudi Organization for Human Rights (ESOHR).

On October 27 and November 16, authorities released Shia prisoners Ali al-Nimr and Abdullah al-Zaher following completion of their 10-year prison sentences. Al-Nimr and al-Zaher, along with Dawood al-Marhoun who remained imprisoned,

were arrested in 2012 as minors when they participated in political protests in 2011. In February all three had their death sentences commuted to 10 years in prison with credit for time served.

On November 10, the Supreme Court overturned the death sentence conviction against Abdullah al-Huwaiti, arrested at age 14 and sentenced to death three years later on murder and armed robbery charges.

On November 11, the ESOHR said at least four individuals accused of crimes committed as minors continued to face the possibility of capital punishment, including Sajjad al-Yassin, Jalal al-Labbad, Yusuf al-Manasif, and Hasan Zaki al-Faraj.

b. Disappearance

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

According to the human rights organization al-Qst (ALQST) and Prisoners of Conscience, the whereabouts of physician and internet activist Lina al-Sharif were unknown since her arrest in May. The groups claimed al-Sharif was arrested for comments on social media regarding national politics and human rights issues.

There were no updates during the year regarding the whereabouts of several members of the royal family detained in March 2020, including the former crown prince Mohammed bin Nayef Al Saud, Prince Ahmed bin Abdulaziz Al Saud, and Prince Nayef bin Ahmed Al Saud, a former head of army intelligence. The government did not announce their detentions, but Reuters reported that the princes were accused of “contact with foreign powers to carry out a coup d’etat.” In June *NBC News* reported the former crown prince was being held at a government compound in Riyadh, but there was no subsequent confirmation. According to the report, he had lost significant weight, could no longer walk unaided due to serious injuries from beatings, and was deprived of pain medication needed for previous injuries.

There was also no information during the year regarding the whereabouts of Prince Faisal bin Abdullah Al Saud, former head of the Saudi Red Crescent Society, also

detained by security forces in March 2020.

On April 5, the Specialized Criminal Court sentenced Abdulrahman al-Sadhan to 20 years' imprisonment, followed by a 20-year travel ban, on terrorism financing and facilitation charges. After his arrest in 2018, al-Sadhan was detained incommunicado for two years before being allowed to speak with his family. Legal proceedings against him began on March 3 in a process that Amnesty International said was marred by rights violations. Al-Sadhan reportedly tweeted comments critical of the government and sympathetic to ISIS, which family members claimed were satirical in nature. Family members alleged that al-Sadhan was physically abused during his detention and that he was unable to present a proper legal defense during his trial.

In July representatives of the family of Princess Basmah bint Saud reportedly filed an appeal to the Special Procedures experts at the UN Human Rights Council requesting their intervention to demand that authorities provide proof that she was alive. Detained since 2019, media and rights groups reported the princess had health problems, including heart issues and osteoporosis. On May 29, *Forbes* reported she had a brief telephone call with a relative.

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 states that public investigators shall not subject accused persons to coercive measures to influence their testimony. There were, however, reports by human rights organizations, the United Nations, and independent third parties of torture and other cruel, inhuman, or degrading treatment or punishment.

Officials from the Ministry of Interior, Public Prosecutor's Office, and HRC, which is responsible for coordinating with other government entities to investigate and respond to alleged human rights violations (see section 5), claimed that rules prohibiting torture prevented such practices from occurring in the penal system, but human rights organizations, the United Nations, and independent third parties

said there were reports of torture and mistreatment of detainees by law enforcement officers. Amnesty International assessed in August that the Specialized Criminal Court “routinely condemns defendants to lengthy prison terms and even death sentences following convictions based on ‘confessions’ extracted through torture.” It alleged that Mustafa al-Darwish’s June execution resulted from confessions obtained by torture (see section 1.a.). Amnesty International reported that former detainees in Mabath-run facilities alleged abuse, including beatings, sleep deprivation, and long periods of solitary confinement for nonviolent detainees.

On January 15, three UN special rapporteurs sent a letter to the government regarding Ali Hassan al-Rabea, expressing concern at the alleged use of torture and mistreatment to extract confessions and other evidence. In December 2020 the Supreme Court sentenced al-Rabea to death in a final ruling, not subject to appeal. As of year’s end, the sentence was pending King Salman’s approval. Al-Rabea was arrested in 2013, charged with participating in demonstrations, chanting antigovernment slogans, and possessing weapons. The primary evidence reportedly presented against him was the confession allegedly made after being subjected to torture and mistreatment.

In July HRW reported anonymous accounts from prison guards alleging torture of political detainees, including of prominent activists Loujain al-Hathloul and Mohammed al-Rabea. They alleged women’s rights activists and others were subjected to electric shocks, beatings, whippings, and sexual abuse. In February, following her sentencing and conditional release, al-Hathloul’s family reported that an appeals court rejected a lawsuit regarding her claims of torture. In December 2020 the Riyadh Criminal Court had previously dismissed her claim, citing a lack of evidence.

On July 28, the *Washington Post* reported that former interior ministry official Salem al-Muzaini was whipped, starved, beaten with iron bars, and subjected to electric shocks while held at two Saudi prisons and the Ritz-Carlton hotel from September 2017 until January 2018. He was originally detained in Dubai in 2017 and transferred to Saudi Arabia. Following his release in 2018, al-Muzaini allegedly disappeared in August 2020 after visiting a senior Saudi security official. Al-Muzaini was married to Hissah al-Muzaini, the daughter of Saad al-Jabri, a

former high-ranking intelligence official who fled the country in 2016 (see sections 1.e. and 1.f.).

Courts continued to sentence individuals to corporal punishment. In March the Supreme Court clarified that the April 2020 royal decree that effectively eliminated flogging in most cases could be applied retroactively to sentences predating the decree. While flogging may no longer be used as a discretionary ta'zir sentence, it can still be used for three hudud crimes: drunkenness, sexual conduct between unmarried persons, and false accusations of adultery.

In March local media reported that the appeals court in Jeddah issued a final decision to overturn a sentence of 5,000 lashes for an individual convicted on drug trafficking charges. Reportedly the man instead received five years in prison, a five-year travel ban, and a large fine.

No additional information was available whether the remainder of the discretionary flogging element of activist Raif Badawi's sentence had been dropped. Badawi was sentenced to 1,000 lashes, 10 years in prison, and a 10-year travel ban in 2014 for insulting Islam, among other charges. He received 50 lashes in 2015, but further floggings were delayed due to health concerns.

Impunity was a problem in the security forces. Activists questioned the impartiality of procedures to investigate detainees' complaints of torture and maltreatment. The Ministry of Interior stated it installed surveillance cameras to record interrogations of suspects in some criminal investigation offices, police stations, and prisons where such interrogations occur. The government provided human rights training to security forces, but HRW continued to highlight concerns regarding abuse and deplorable conditions in detention centers.

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: A July 7 ALQST report alleged that detention and deportation facilities suffered from overcrowding, poor hygiene and sanitation, and medical and administrative neglect. On August 14, the ESOHR estimated that at

least 20 persons had died due to prison conditions since 2010, adding that some of them appeared to have been tortured. The years of individual deaths were not provided.

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

Authorities held pretrial detainees together with convicted prisoners. They separated persons suspected or convicted of terrorism offenses from the general population. Activists alleged that authorities sometimes detained individuals in the same cells as individuals with mental disabilities as a form of punishment and said authorities mistreated persons with disabilities.

Authorities differentiated between violent and nonviolent prisoners, sometimes pardoning nonviolent prisoners to reduce the prison population. Shia inmates were in some cases held in separate wings of prisons and reportedly faced worse conditions than Sunnis.

Prisoners convicted on terrorism-related charges were often required to participate in government-sponsored rehabilitation programs before consideration of their release.

In February Attorney General Saud bin al-Mu'jab issued directives to prevent the spread of COVID-19 among prisoners and detainees. On April 22, local media reported that approximately 68 percent of detainees in state security prisons were vaccinated against COVID-19. Rights organizations said Zaheer Ali contracted COVID-19 during a prison outbreak in April and died, which they attributed to medical negligence by prison authorities. Allegedly arrested for his writings in 2017, Ali died on May 8 in al-Ha'ir Prison, the United Kingdom-based rights groups Sanad and ALQST reported.

On October 12, ALQST reported academic and activist Musa al-Qarni, who was arrested in 2007 along with several other activists and charged with forming a secret organization and spreading anarchy, was beaten to death by fellow inmates. No information was available whether any inmates were charged in connection with his killing.

Online activists reported that at least five members of an outlawed human rights organization, the Saudi Civil and Political Rights Association (ACPRA), along with 25 other detainees in al-Ha'ir Prison, participated in a hunger strike between March 7 and March 14, reportedly to protest denied family contact, poor food quality, and attacks by prisoners suffering from mental illness. ACPRA members Mohammed al-Qahtani, Fawza al-Harbi, Issa al-Nukhaifi, Fahad al-Arani, and Mohammed al-Hudaif participated, with Abdulaziz al-Sunaidi joining from Onayza Prison in al-Qassim. On March 14, Prisoners of Conscience announced that the strike was suspended after prison administrators agreed to meet their demands. On August 15, al-Qahtani restarted his hunger strike to protest prison administrators' alleged reneging on the March agreement.

Administration: There was no information available on whether prisoners were able to submit allegations of mistreatment to prison or prosecutorial authorities without censorship or whether authorities responded or acted upon complaints. 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 Mabathith administered approximately 20 regional prisons and detention centers for security prisoners. The law gives the Public Prosecutor's Office 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."

The law 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 [now the Public Prosecutor's Office]." Prisoners submitted complaints to the HRC, which had offices in a number of prisons, and to the quasi-governmental National Society for Human Rights (NSHR) for follow-up. Inmates, however, required approval from prison authorities to submit complaints to an HRC office.

The Public Prosecutor's Office announced in July the launch of the Ma'akom system, which allows citizens and residents to submit complaints directly regarding illegal detention or violations of detainee rights, using the online platform Absher, a hotline telephone number, or in person. The Ministry of Interior-run website

(Nafetha) provided detainees and their relatives access to a database containing information regarding the legal status of the detainee, including any scheduled trial dates.

Authorities generally permitted relatives and friends to visit prisoners twice a week, although certain prisons limited visitation to once or twice a month. Prisoners were typically granted at least one telephone call per week. There were reports that prison, security, or law enforcement officials denied this privilege in some instances, often during pretrial 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). Starting on October 31, families of detainees who received two doses of an approved coronavirus vaccine could apply for prison visits. Family members of detained persons under investigation or in pretrial detention said family visits were typically not allowed, while others said visits or calls were extremely brief (less than five minutes). Authorities at times reportedly denied some detainees their weekly call for several months or years. Some family members of prisoners complained authorities canceled scheduled visits with relatives without reason.

Independent Monitoring: Independent institutions were not permitted to conduct regular, unannounced visits to places of detention, according to the UN Committee against Torture. Foreign diplomats regularly requested to attend non-consular trials of high-profile detainees but were not admitted into courtrooms. In a limited number of cases, foreign diplomats were granted consular visits to individuals in detention, but the visits took place in a separate visitors' center where conditions may differ from those in the detention facilities holding the prisoners.

The government permitted the HRC and quasi-governmental NSHR to monitor prison conditions. The organizations stated they visited prisons throughout the country and reported on prison conditions. On July 7, local media reported the HRC conducted 1,538 prison visits during the fiscal year 2020-21, including visits to public prisons, security prisons, and various detention centers as well as "social observation centers" and girls' welfare institutions.

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, but the Ministry of Interior and the State Security Presidency, to which the majority of forces with arrest powers reported, maintained and exercised broad authority to arrest and detain persons indefinitely without judicial oversight, notification of charges, or effective access to legal counsel or family, according to human rights groups.

Arrest Procedures and Treatment of Detainees

The law gives the Public Prosecutor's Office "complete and independent powers" to identify major crimes that require detention, according to local media. In August 2020 the public prosecutor issued a list of 25 major crimes that mandate arrest and pretrial detention, including certain border crimes, corruption, homicide, and offenses against national security, among others.

According to the law, "No person shall be arrested, searched, detained, or imprisoned except in cases provided by law, and any accused person shall have the right to seek the assistance of a lawyer or a representative to defend him during the investigation and trial stages." 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, which 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.

The law specifies procedures required for extending the detention period of an accused person beyond the initial five days. There is a functioning bail system for

less serious criminal charges. Authorities may approve detentions in excess of six months in “exceptional circumstances,” effectively allowing individuals to be held in pretrial detention indefinitely in cases involving terrorism or “violations of state security.” The Public Prosecutor’s Office may order the detention of any person accused of a crime under the counterterrorism law for up to 30 days, renewable up to 12 months, and in state security cases up to 24 months with a judge’s approval.

By law defendants accused of any crime cited in the law are entitled to hire a lawyer to defend themselves before the court “within an adequate period of time to be decided by the investigatory body.” The government provided lawyers to defendants who made a formal application to the Ministry of Justice to receive a court-appointed lawyer and proved their inability to pay for their legal representation. In cases involving terrorism or state security charges, detainees generally did not have the right to obtain a lawyer of their choice.

There were reports authorities did not always allow legal counsel access to detainees who were under investigation in pretrial detention. Authorities indicated a suspect could be held up to 12 months in investigative detention without access to legal counsel if authorized by prosecutors. Judicial proceedings begin after authorities complete a full investigation.

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

Authorities commuted the sentences of some who had received prison terms. The counterterrorism law allows the Public Prosecutor’s Office to stop proceedings against an individual who cooperates with investigations or cooperates in thwarting a planned terrorist attack. The law authorizes the State Security Presidency to release individuals already convicted in such cases.

Arbitrary Arrest: Rights groups received reports from families claiming authorities held their relatives arbitrarily or without notification of charges. During the year authorities detained without charge security suspects, persons who publicly criticized the government, Shia religious leaders, individuals with links to

rights activists, and persons accused of violating religious standards.

On May 6, Prisoners of Conscience reported that dozens of journalists and bloggers remained under arbitrary arrest. In November Prisoners of Conscience reported that authorities had detained blogger Zainab al-Hashemi and university student Asmaa al-Subaie since May without charge. The two were reportedly arrested with other online activists. As of year's end, their whereabouts were unknown.

Pretrial Detention: In August 2020 ALQST and the Geneva-based MENA Rights Group lodged a complaint with the UN Working Group on Arbitrary Detention and the Special Procedures of the UN Human Rights Council in Geneva regarding the “arbitrary” detention of Prince Salman bin Abdulaziz bin Salman Al Saud and his father. In February international media reported that the two were moved from a house in Riyadh to “an undisclosed location” at the end of November 2020. In 2018 Prince Salman was detained with 11 other princes after they staged what the prosecutor called a “sit-in” at a royal palace in Riyadh to demand the state continue to pay their electricity and water bills. Sources told *Agence France Presse* that the prince and his father had never been formally interrogated or charged.

Incommunicado detention occurred (see section 1.b.). 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 (or longer) without access to family members or legal counsel. Security and 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.

During July and August, family members of Muslim scholar Salman al-Odah and Mohammed al-Qahtani (see section 1.c.) claimed authorities had denied them contact with their family members and lawyers for months. According to his wife, al-Qahtani was able to call her on August 19 following a four-day hunger strike and after almost four months of incommunicado detention. In September al-Odah’s family reportedly said his eyesight had deteriorated during his solitary confinement.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: By 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.

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. 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 Specialized Criminal Court, which rarely acquitted suspects. The Specialized Criminal Court and the Public Prosecutor's Office were not independent entities, as they reportedly were required to coordinate their decisions with executive authorities, including the king and crown prince. Human rights activists claimed that the court's 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.

On March 8, local media reported that the Supreme Court eliminated the use of oaths (*al-qisama*) as evidence in murder or manslaughter cases. Under Islamic law, the victim's family is allowed to take up to 50 oaths to officially confirm that the suspect was guilty if there was no direct evidence or if eyewitness testimony was invalid under Islamic law, as in the case of child witnesses.

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 then unanimously affirm. Appellate courts may recommend changes to a sentence, including increasing the severity of a lesser sentence (up to the death penalty), if the trial court convicted the defendant of a crime for which capital punishment is permitted.

Defendants possess the right to seek commutation of a death sentence for some crimes and may receive a royal pardon under specific circumstances (see section 1.d.). In some prescribed cases (qisas), the families of the deceased may accept compensation from the family of the person convicted in an unlawful death, sparing the convicted from execution.

On August 3, Amnesty International assessed that trials before the Specialized Criminal Court were “intrinsically unfair, with defendants subjected to flawed procedures that violate both Saudi and international laws.” Amnesty accused authorities of using the court to crack down on freedom of expression through the prosecution, sentencing, and resentencing processes, as well as bans on public speaking, human rights work, use of social media, and travel. Among others, Amnesty cited the trial and conviction of activist Israa al-Ghomgham, who was sentenced to eight years in prison and an eight-year travel ban in February for charges related to her peaceful activism and participation in antigovernment protests.

On August 16, the court of appeals increased the sentence of activist Khalid al-Omar from seven to nine years without explanation, according to ALQST.

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. In February the crown prince announced forthcoming legal reforms that would impact the personal status law, civil transactions law, evidence law, and discretionary sentencing, aiming to increase predictability and transparency in the legal system and expand protections for women (see section 6, Women). On December 28, the Council of Ministers enacted the evidence law.

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 provide sentencing requirements for crimes, including terrorism, cybercrimes, trafficking in persons, and domestic abuse.

The Justice Ministry continued to expand a project started in 2007 to distribute model judicial decisions to ensure more uniformity of legal application, and the ministry published judicial decisions on its website. The law states that defendants should be treated equally in accordance with sharia. The Council of Senior Scholars, or the *ulema*, an autonomous advisory body, issues religious opinions (fatwas) that guide how judges interpret sharia. In 2016 the Ministry of Justice issued a 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 of innocence or guilt; they are limited to affirming judgments, modifying sentences, 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 were represented in the Council of Senior Scholars, the Hanbali School predominated and formed the basis for the country's law and legal interpretations of sharia. Shia citizens used 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. The Ministry of Foreign Affairs continued to not approve foreign diplomatic missions to attend court proceedings at the Specialized Criminal Court as well as trials related to security and human rights issues. Diplomatic personnel were generally allowed to attend consular proceedings of their own citizens. Some family members of prisoners complained that neither they nor the legal representatives of the accused were permitted access to trials or notified of the status of trial proceedings. In a number of cases, family members were given only 24 hours' notice before a trial hearing.

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. HRC representatives sometimes attended trials at the Specialized Criminal Court.

By law authorities must offer defendants a lawyer at government expense. In 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 alleged that many political prisoners 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. Activists reported, however, that Specialized Criminal Court judges could decide to restrict this right in “the interests of the case.” The law provides that a prosecutor-appointed investigator may question 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 for free interpretation services, although services were often provided in practice. The law 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 Muslims, Shia Muslims, and persons of other religions. In certain circumstances, the testimony of a woman equals one-half that of a man. Judges have discretion to 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 Muslims.

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.” Reporting by advocacy groups and press suggested authorities detained persons for peaceful activism or political opposition, including nonviolent religious figures, women’s rights defenders, and human rights activists, and those who the government claimed posted offensive or antigovernment comments on social media sites.

In many cases it was impossible to determine the legal basis for incarceration and whether the detention complied with international norms and standards. During the year the Specialized Criminal Court tried political and human rights activists for nonviolent actions unrelated to terrorism, violence, or espionage against the state, and authorities restricted attorneys’ access to detainees on trial.

International nongovernmental organizations (NGOs), the United Nations, and others criticized the government for abusing its antiterrorism legal authorities to detain or arrest on security-related grounds some dissidents or critics of the government or royal family who had not espoused or committed violence. According to the NGOs Prisoner of Conscience and EOHSR, more than 100 persons remained in detention for activism, criticism of government leaders or policies, impugning Islam or religious leaders, or “offensive” internet postings, including prominent activists such as Raif Badawi, Mohammed al-Qahtani, Naimah Abdullah al-Matrod, Maha al-Rafidi, Eman al-Nafjan, and Waleed Abu al-Khair; clerics including former grand mosque imam Salih al-Talib; and Sahwa movement figures Safar al-Hawali, Nasser al-Omar, and others.

Between February and June, several women's rights activists, who had been arrested in 2018 and convicted on charges related to their human rights work and their contact with international organizations, foreign media, and other activists, were released after having their sentences suspended or reduced to time served, although they reportedly continued to be subject to travel bans. Sentenced by the Specialized Criminal Court in December 2020 to five years and eight months in prison, with credit for time served, Loujain al-Hathloul and Mayaa al-Zahrani were released in February and March, respectively. Prisoners of Conscience also reported the release of Nouf Abdelaziz al-Jerawi in February. Rights organizations reported that Nassima al-Sadah and Samar Badawi, who were sentenced to five years in prison with half suspended in 2018, were released on June 27 at the conclusion of their remaining sentences. Al-Hathloul appealed her sentence, but on May 9, she was informed by state security officials that the Supreme Court upheld her conviction on terrorism charges. While rights organizations welcomed the releases, they criticized the imposition of travel bans, as well as reports that the released rights activists were instructed not to make public statements regarding their sentences.

In October the Specialized Criminal Court of Appeals upheld the six-year prison sentence of women's rights activist Mohammed al-Rabea. In April the court had sentenced al-Rabea under the country's counterterrorism law to six years' imprisonment, with credit for time served, and a travel ban. Detained in 2018 along with al-Hathloul and Aziza al-Yousef, al-Rabea's arrest was also tied to his activism for women's right to drive and against the guardianship system.

On September 23, authorities released human rights defender Abdulrahman al-Shumiri following completion of his 15-year prison sentence, according to ALQST and Prisoners of Conscience. He remained subject to a travel ban for 15 years following his release. Al-Shumiri, a retired academic, was arrested in 2007 and sentenced on charges including disobeying the ruler.

In April the Specialized Criminal Court sentenced activist Yasser al-Ayyaf to two years in prison, according to Prisoners of Conscience. Al-Ayyaf was arrested in 2018, reportedly for his activism and participation in peaceful sit-ins, marches, and protests between 2011 and 2013. He spoke out in support of detainees held without trial and those who were detained after completing their sentences,

including his father, whom he claimed was incarcerated beyond the end of his 10-year sentence. Al-Ayyaf was released in September.

Politically Motivated Reprisal against Individuals Located Outside the Country

Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or Threats of Violence: There were reports that authorities attempted to intimidate critics living abroad, pressured their relatives in the country, and in certain instances abducted or pressured dissidents and repatriated them to the country. A Freedom House report on transnational repression released in February reported 10 cases of Saudi transnational repression carried out in recent years against former government officials and activists living abroad.

Threats, Harassment, Surveillance, and Coercion: In July the *New York Times* reported that since 2018, Saudi Arabia had used Israeli cybersurveillance firms' spyware to monitor dissidents and political opponents at home and abroad. A July 18 Amnesty International report alleged that an investigation into the Israeli cybersurveillance firm NSO Group revealed evidence that the Saudi government used its Pegasus software against Saudi journalist Jamal Khashoggi and his family members, including his fiancée, former wife, and son. Other media reported that Khashoggi's associates Yahya Assiri, Omar Abdulaziz, and Ghanem al-Masari were also targeted by the software.

On February 27, the *Washington Post* reported that Saudi dissident Ahmed Abdullah al-Harbi disappeared while visiting the Saudi embassy in Ottawa in January and later reappeared in Saudi Arabia. Activists alleged his return was coerced. After his visit to the embassy in Ottawa, al-Harbi reportedly called two friends and stated he had been pressured during interrogation to reveal the names of activists and believed his family in Saudi Arabia was being threatened. Al-Harbi had received asylum in Canada in 2019 after making statements critical of the Saudi government during his studies in the United States and was cooperating with activists critical of the government. Al-Harbi's whereabouts following his return to Saudi Arabia remained unknown as of December.

In February media reported that Saad al-Jabri, a former high-ranking Saudi

intelligence official who fled the country in 2016, filed a second lawsuit in the United States alleging that Saudi officials tried to lure his daughter, Hissah al-Muzaini, to the Saudi consulate in Istanbul in 2019 (see section 1.c.). The *Wall Street Journal* reported on January 27 that 10 Saudi state-owned companies filed a civil suit in Canada against Saad al-Jabri, alleging embezzlement. Activists and al-Jabri's family claimed that the Canadian lawsuit against him was politically motivated. In an October 23 interview on *60 Minutes*, al-Jabri reiterated claims that a hit squad had been sent to kill him in 2018 and asserted that his son Omar and daughter Sarah had been imprisoned in Saudi Arabia to force his return to the country (see section 2.b.). The two were arrested in March 2020 and held in incommunicado detention, according to HRW. In November 2020 a court sentenced Omar and Sarah al-Jabri to, respectively, nine and six and one-half years in prison for money laundering and attempting escape. HRW reported an appeals court upheld their sentences in December 2020.

Misuse of International Law-enforcement Tools: There were reports that the government attempted to misuse international law enforcement tools for politically motivated purposes as reprisal against specific individuals located outside the country.

Activists claimed that Saudi Arabia misused an INTERPOL notice to secure the February arrest in Morocco of a government critic, Osama al-Hasani, a citizen of Saudi Arabia and Australia. He was deported to Saudi Arabia in March. HRW claimed that court documents showed Saudi authorities had previously cleared him of the charge of auto theft that was the basis for the Saudi INTERPOL notice. On March 12, the UN Office of the High Commissioner for Human Rights sent Moroccan authorities a letter urging them not to deport al-Hasani due to fears that he could face torture in Saudi Arabia. A Moroccan court approved al-Hasani's extradition to Saudi Arabia on March 13, according to press reports. On September 3, Prisoners of Conscience reported that the Specialized Criminal Court sentenced al-Hasani to four years' imprisonment.

Civil Judicial Procedures and Remedies

Complainants claiming human rights violations generally sought assistance from the HRC or the NSHR, which sometimes advocated on their behalf or provided

courts with opinions on their cases. The HRC generally responded to complaints and can refer cases to the Public Prosecutor's Office; 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 Specialized Criminal Court handles remediation. The counterterrorism law contains a provision allowing detainees in Mabath-run prisons to request financial compensation from the Ministry of Interior, State Security Presidency, or both 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.

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 the law to monitor activities legally and intervene where it deemed necessary. Authorities targeted family members of activists and critics of the government.

In June dissident Abdullah al-Odah, son of prominent detained cleric Salman al-Odah (see section 1.d., Pretrial Detention), alleged that 17 of his family members were banned from travel and that his uncle, Khalid al-Odah, was arrested for tweeting about the cleric's arrest.

There were reports from human rights activists of governmental monitoring or blocking of mobile phone or internet usage. (See section 1.e., Threats, Harassment, Surveillance, and Coercion, for reporting regarding the government's

purported use of Pegasus software to monitor activists and their families and friends.) 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 or publicly criticizing senior members of the royal family by name (see section 2.a.). Customs officials reportedly routinely opened mail and shipments to search for contraband. Informants allegedly reported “seditious ideas,” “antigovernment activity,” or “behavior contrary to Islam” in their neighborhoods.

Use of encrypted communications by private citizens was banned, and authorities frequently attempted to identify and detain anonymous or pseudonymous users and writers who made critical or controversial remarks. Government authorities regularly surveilled websites, blogs, chat rooms, social media sites, emails, and text messages. Media outlets reported that authorities gained access to critics’ and activists’ Twitter and other social media accounts and in some cases questioned, detained, or prosecuted individuals for comments made online. The counterterrorism law allows the government to access a terrorism suspect’s private communications and banking information in a manner inconsistent with the legal protections provided by the law of criminal procedure.

The Committee for the Promotion of Virtue and the Prevention of Vice (CPVPV) is charged with monitoring and regulating public interaction between members of the opposite sex, although in practice CPVPV authorities were greatly curtailed compared with past years.

g. Conflict-related Abuses

Saudi Arabia continued to conduct military operations in support of the UN-recognized government of Yemen against the Houthi militants.

The United Nations, NGOs, media outlets, as well as humanitarian and international organizations, reported what they characterized as disproportionate and indiscriminate use of force by all parties to the continuing conflict, causing civilian casualties and damage to infrastructure from shelling and airstrikes. The UN Group of Eminent International and Regional Experts (GEE) concluded in September that the government of Yemen, Houthis, the Saudi-led coalition, and the

Southern Transitional Council were “responsible for human rights violations including arbitrary deprivation of life, enforced disappearances, arbitrary detention, gender-based violence, including sexual violence, torture and other forms of cruel, inhuman, or degrading treatment, the recruitment and use in hostilities of children, the denial of fair trial rights, violations of fundamental freedoms, and economic, social and cultural rights.” Additionally, the GEE specifically noted, “individuals in the [Saudi-led] coalition, in particular from Saudi Arabia, may have conducted airstrikes in violation of the principles of distinction, proportionality, and precaution, acts that may amount to war crimes.”

In 2016 the government of Saudi Arabia and other governments participating in the Saudi-led coalition established the Joint Incident Assessment Team (JIAT), which consisted of military and civilian personnel from coalition countries, to investigate claims of civilian casualties linked to coalition air strikes or other coalition operations inside Yemen and coalition adherence to international humanitarian law. The JIAT held press conferences to explain the results of its investigations to the public. The GEE’s September report expressed concerns regarding the Saudi-led coalition’s investigation and prosecution efforts. The GEE also stated the JIAT did not provide detailed case summary information or supporting evidence.

On numerous occasions, Saudi civilians were injured and killed and civilian objects and critical infrastructure were damaged or destroyed by missile, rocket, drone, artillery, and maritime cross-border attacks by Houthi militants in Yemen aimed at Saudi territory.

Saudi-led coalition airstrikes in Yemen reportedly resulted in civilian casualties and damage to civilian infrastructure on multiple occasions. A report by the NGO Mwatana for Human Rights alleged that all parties to the conflict, including the Saudi-led coalition, “likely violated prohibitions under international humanitarian law and international humanitarian law “ by depriving civilians of objects essential to their survival by targeting farms, water facilities, and artisanal fishing boats and equipment that destroyed, damaged or rendered useless objects essential to survival, namely agricultural areas, irrigation works, livestock, foodstuff, water infrastructure, fishing boats, and fishing equipment. According to the UN’s Civilian Impact Monitoring Project, Saudi-led coalition airstrikes accounted for 55 civilian casualty allegations in the first nine months of the year. Casualties linked

to airstrikes were down 75 percent compared with the same period in 2020. The nonprofit organization Yemen Data Project, affiliated with the Armed Conflict Location and Event Data Project, assessed civilian casualties linked to airstrikes in the first half of the year were the lowest of any six-month period since the start of the conflict. In June the UN secretary-general noted a “sustained, significant decrease in killing and maiming due to air strikes” and delisted the Saudi-led coalition from the list of parties responsible for grave violations against children in armed conflict. During the last three months of the year, the Saudi-led coalition increased airstrikes in and around more-populated areas in response to increased Houthi cross-border attacks and Houthi ground offensive operations in Ma’rib and Shabwah, which resulted in an increase in civilian casualties.

Mwatana for Human Rights alleged that groups aligned with the Saudi-led coalition were responsible for the disappearance of seven civilians in Yemen from September 2020 to September 2021.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law does not provide for or protect freedom of expression, including for members of the press and other media. The 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. 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 what 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 counterterrorism law’s definition of terrorism 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 law for its overly broad and vague definitions of terrorism and criticized the government for using it to prosecute peaceful expression and dissent.

Freedom of Expression: The government monitored public expressions of opinion and used legal controls to impede the free expression of opinion and restrict individuals from engaging in public criticism of the government. 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.

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

Prisoners of Conscience reported that authorities arrested journalist Fahid al-Shammari on March 3 for publishing videos with “false information” regarding food products. Prisoners of Conscience claimed that the true reason for al-Shammari’s arrest was a video mocking General Entertainment Authority chairman Turki Al al-Sheikh. Al-Samara first published the video in 2019, but it recirculated on social media early in the year.

On October 27 and again on October 30, police in Mecca detained and released with a warning a foreign national for wearing a T-shirt reading, “Pray for the end of China’s genocide & occupation in East Turkistan.” He was released three days later and departed the country.

Between May and June, multiple rights groups reported blogger Abdullah Jilan and two Twitter pseudonymous users, Ladon and Lioness, were arrested for tweets regarding social justice, equitable distribution of wealth, and job creation in the

country. The groups stated the three were affiliated with Canada-based dissident Omar Abdulaziz and murdered journalist Jamal Khashoggi.

On November 17, Reporters Without Borders called for the immediate release of Yemeni journalist Ali Aboluhom, who received a 15-year prison sentence for tweets that, according to the Saudi authorities, promoted apostasy, atheism, and blasphemy. According to the Gulf Center for Human Rights, on October 26, the criminal court in Najran sentenced Aboluhom to 10 years in prison after convicting him of apostasy and atheism and another five years in prison for publishing his writings on social media networks that “would prejudice public order, religious values, and morals.”

Freedom of Expression for Members of the Press and Other Media, Including Online Media: The 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 Media. 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.

Government policy guidance instructs journalists in the country to uphold Islam, oppose atheism, promote Arab interests, and preserve cultural heritage. The press law requires all online newspapers and bloggers to obtain a license from the ministry. The law 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 substantial fines for each violation of the law, which doubles if the violation is repeated. Other penalties include banning individuals from writing banned material. While the Violations Considerations Committee in the Ministry of Media has formal responsibility for implementing the law, the Ministry of Interior, the CPVPV, and judges considered these issues regularly and exercised wide discretion in interpreting the law. It was unclear which of these institutional processes accords with the law.

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 and some privately owned satellite networks headquartered outside the country maintained local offices; they were subject to licensing requirements from the Ministry of Media and could not operate freely.

Violence and Harassment: Authorities subjected journalists, writers, and bloggers to arrest, imprisonment, and harassment during the year (see section 1.c., Prison and Detention Center Conditions). NGOs, academics, and the press claimed the government targeted dissidents using automated social media accounts to ensure that progovernment messages dominated social media trend lists and effectively silenced dissenting voices. Automated account activity was reportedly accompanied by online harassment by progovernment accounts in some instances.

The Jeddah Criminal Court sentenced Ahmad Ali Abdelkader, a Sudanese media personality and journalist, to four years' imprisonment on June 8 for criticizing in tweets and media interviews Saudi actions in Sudan and Yemen.

On March 1, Reporters Without Borders filed a criminal complaint in Germany against the Saudi crown prince for his alleged role in the 2018 killing of journalist Jamal Khashoggi in Turkey and the arbitrary detention of 34 journalists in Saudi Arabia. According to the complaint, 33 journalists, including blogger Raif Badawi, continued in detention.

In July Prisoners of Conscience reported the release of journalist Aql al-Bahili and writer Abdulaziz al-Dukhail without charges. The two were arrested in April 2020, along with activist Sultan al-Ajmi, reportedly for tweeting condolences on the death of imprisoned reformer and rights activist Abdullah al-Hamid. As of November, there were no updates on the status of al-Ajmi.

Censorship or Content Restrictions: The government reportedly penalized those who published items counter to government guidelines and directly or indirectly censored 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 Media 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 online and print material it considered blasphemous, extremist, racist, offensive, or inciting chaos, violence, sectarianism, or harm to the public order, as well as criticism of the royal family or its allies among the Gulf Arab states.

In May the Public Prosecutor's Office warned against producing, sending, or storing materials in information networks and computers that might "affect public order and go against religious values and morals." Local media reported in July the office issued an arrest warrant against an individual who shared on social media parts of a television program that allegedly spread tribal intolerance and hatred. Following the arrest, the office stressed that hatred and intolerance disturb public order and that related actions are punishable by five-year sentences and substantial fines.

Online self-censorship was reportedly pervasive, as social media users were extremely cautious regarding what they posted, shared, or "liked" due to the threat of harassment or prosecution under broadly worded antiterrorism and other laws. The government closely monitored and often targeted users who expressed support for minority rights or political reform, in addition to those who exposed human rights violations. Social media users were reportedly reluctant to express support for outspoken activists who were detained or received prison sentences. Questioning religious doctrine was strictly taboo, particularly content related to the

Prophet Muhammad.

In some cases, however, individuals criticized specific government bodies or actions publicly without repercussions.

Libel/Slander Laws: The 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," including social media and social networks.

National Security: Authorities used the 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. On April 25, ALQST reported that activist Khaled al-Omair was sentenced to seven years' imprisonment for charges that included launching a hashtag on Twitter titled "the people want a new constitution."

On October 18, local media reported that authorities arrested a Palestinian national in Riyadh after he appeared in a video clip insulting Saudi Arabia and its leaders. Authorities deemed these comments as aimed to harm the country's national security and public order.

Internet Freedom

The Ministry of Media 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.

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. Laws, including the cybercrimes law, criminalize a number of internet-related activities, including defamation, 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. The government prosecuted individuals who used the internet to criticize government officials or religious authorities, or express support for terrorism, blasphemy, and apostasy.

The government reportedly collected information concerning the identity of persons peacefully expressing political, religious, or ideological opinions or beliefs online. According to Freedom House, authorities regularly monitored nonviolent political, social, and religious activists and journalists in the name of national security and maintaining social order.

In April and May, rights organizations reported that authorities arrested a number of prominent social media personalities, including Loujain Daghistani, Abdulaziz al-Tuwaijri, and Abdulrahman al-Sheikhi, regarding tweets calling for social and economic reform. Daghistani and al-Tuwaijri were released in June and November, respectively. No information was available on the charges against them.

Access to the internet is legally available only through government-authorized internet service providers (ISPs). The government required ISPs 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 private channels, including official complaint processes.

The 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 filtered and blocked access to websites it deemed offensive, including sexual content, as well as pages calling for domestic political, social, or economic reforms or supporting human rights, including websites of expatriate Saudi dissidents.

Several voice-over-internet-protocol call services, such as WhatsApp, remained blocked and only accessible using a virtual private network. On May 5, local media reported the government blocked the Clubhouse mobile phone application due to its potential use to spread offensive content. Progovernment trolls reportedly took to “hashtag poisoning,” a method of spamming a popular hashtag to disrupt criticism or other unwanted conversations through a flood of unrelated or opposing tweets. Bots frequently shared identical messages.

The government continued to block some Qatari websites, such as the news site *al-Jazeera*. The government also blocked access to the websites of the Turkish official news agency, Anadolu Agency, and the Turkish public broadcaster TRT’s Arabic edition. Writing for blocked websites, providing them with materials to publish, or promoting alternative addresses to access them are crimes under the cybercrimes law.

Academic Freedom and Cultural Events

The government restricted some public artistic expression but increasingly relaxed restrictions on cultural events dedicated to film, comics, music, and dance.

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 (see section 2.b., Freedom of Association).

The *Middle East Monitor* reported in February that Aisha Muhajir, a well-known religious scholar, was arrested for preaching and teaching the Quran at her home in Mecca. After her arrest, Prisoners of Conscience claimed authorities threatened her sons with detention by authorities for questioning her arrest.

On July 14, ALQST and Prisoners of Conscience reported that authorities carried out a series of raids on July 7-8 in Abha, arresting a number of academics including Mohammed al-Hazemi, Qassem al-Alma’i, Ali al-Alma’i, Rasheed al-Alma’i, and Mohammed Kadwan al-Alma’i. According to activists, they were arrested for attending a gathering hosted by an Arab Awakening-associated cleric. As of November, the group reportedly remained in detention.

b. Freedoms of Peaceful Assembly and Association

The law provides for limited freedom of assembly and association, but the government restricted these rights.

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 November 9, Amnesty International called upon authorities to immediately release and drop all charges against 10 Egyptian men detained without charge for 16 months after attempting to organize a remembrance event marking the 1973 Arab-Israeli war. On November 10, the Specialized Criminal Court postponed their first hearing until January 2022.

Freedom of Association

The law provided for limited freedom of association, but the government strictly restricted this right. The law provides a comprehensive legal framework to govern the establishment, operation, and supervision of associations and foundations. The government prohibited the establishment of political parties. All associations must be licensed by the Ministry of Human Resources and Social Development and comply with its regulations. 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. The government also harassed and detained Saudi-based family members and associates of Saudi citizens living abroad who were outspoken critics of the government (see sections 1.b., Disappearances; 1.e., Threats, Harassment, Surveillance, and Coercion; and 1.f., Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence).

On April 7, ALQST reported that authorities increased the prison sentence of activist Mohammed al-Otaibi, founder of the NGO Union for Human Rights, from 14 to 17 years for unknown reasons. From 2013 to 2017, the NGO worked to abolish the death penalty and strengthen women's role in society, until al-Otaibi's arrest in 2017.

Government-chartered associations limited membership only to citizens.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/international-religious-freedom-reports/>.

d. Freedom of Movement and the Right to Leave the Country

The law does not prohibit internal movement, emigration, or repatriation. The government imposed some restrictions on foreign travel.

In-country Movement: The government generally did not restrict the free movement of male citizens within the country. The guardianship system no longer requires a woman to have the permission of her male guardian (normally a father, husband, son, brother, grandfather, uncle, or other male relative) to move freely within the country (see section 6, Women). Following a July 2020 court ruling in favor of women's right to live independently, judicial authorities amended the absenteeism law, or *taghayyub*, to allow all unmarried, divorced, or widowed women to live alone without the consent of a male guardian. Previously, the law granted guardians the right to report the "unapproved absence" of anyone under their guardianship (see section 6, Women).

Authorities respected the right of citizens to change residence or workplace, provided they held a national identification card.

Foreign Travel: There are restrictions on foreign travel. In March the government implemented reforms allowing most private-sector expatriate workers to obtain exit or reentry visas at the end of their work contract without their employer's permission. Expatriate domestic workers, however, still require employer approval to travel or depart the country. Saudi citizens of both genders

younger than 21 and foreign citizen workers under sponsorship require a guardian's consent to travel abroad. 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. Courts regularly applied travel bans as part of sentencing, restricting the ability to leave the country after release from prison. Travel bans reportedly involved individuals in court cases relating to state security, corruption, labor, financial, or real estate disputes, in addition to other crimes.

On April 9, the Specialized Criminal Court sentenced media worker Khalid al-Muhawish to 10 years' imprisonment and a 10-year travel ban for expressing support for the Muslim Brotherhood, the Syrian uprising, and the Palestinian cause, according to local media and rights organizations.

Activists, media, and rights groups alleged the government used travel bans as part of a broader effort to suppress dissent. Activists estimated thousands of citizens were under travel restrictions, including released activists, relatives of citizens detained in the government's anticorruption campaign, and relatives of detained clerics and human rights activists.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

Access to Asylum: The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. The law provides that the "state will grant political asylum if public interest so dictates." Generally, there is not a codified asylum system for those fleeing persecution, and the country is not a party to the 1951 Refugee Convention. The government permitted refugees recognized by UNHCR 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, however. Government policy is to refuse refugee status to persons in the country illegally, including those who 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.

In January and April, the government reiterated that Yemeni and Syrian visitors could extend their visit visas beyond the 180-day maximum validity. On November 28, the government announced an automatic extension until January 31, 2022, of expiring residency permits and visitor visas of expatriates from countries where travel was restricted due to COVID-19 prevention measures.

Multiple media sources claimed the government had increased activities to arrest and deport undocumented migrants since June. *The Khaleej Times* reported that authorities had arrested nearly 16,000 migrants, primarily from Ethiopia and Yemen, on August 8-12 for residency violations. Some were deported, but others remained in detention due to Ethiopia's lack of capacity to absorb those that return.

On June 8, CNN reported that the government between 2018 and 2020 detained and deported to the People's Republic of China (PRC) at least one Uyghur Muslim after he performed the *Umrah* pilgrimage. Another was arrested and reportedly still faced deportation as of December. It was unclear whether the report referred to Hemdullah Abduweli (or Aimidoula Waili on his PRC passport) or Nurmamet Rozi (or Nuermaimaiti on his PRC passport), whom HRW reported in November 2020 were arrested and potentially faced deportation to China. Both were residents in Turkey. Abduweli had been in hiding since February 2020. In a November 2020 interview with *Middle East Eye*, Abduweli was quoted saying the PRC government wanted him deported back to the PRC.

The government did not recognize the right of Saudi citizens to petition for access to asylum or refugee status in foreign countries. The law penalizes Saudi citizens who seek asylum in foreign countries, and on at least one occasion Saudi officials allegedly coerced the return to Saudi Arabia of a Saudi citizen who had sought asylum in Canada.

Abuse of Migrants or Refugees: On January 28, four UN special rapporteurs and

the UN Working Group on Arbitrary Detention sent a letter to the government addressing reports that hundreds of migrants were stranded in overcrowded detention centers for prolonged and indefinite periods, in unsanitary conditions, and without adequate access to health care and protections. The letter expressed concern regarding potential deportation of hundreds of migrants without individual assessment. In January media outlets reported the government agreed to repatriate 1,000 Ethiopian migrants per week to address overcrowding; a first group of 296 detainees were flown to Addis Ababa on January 27. On June 21, the *Middle East Eye* alleged a police crackdown that reportedly began on June 11 targeted majority-migrant neighborhoods and led to the arrest of thousands of documented and undocumented Ethiopians.

Employment: Refugees and asylum seekers were generally unable to work legally, although Syrian and Yemeni citizens who possessed a temporary visa could obtain a visitor card from the Ministry of Interior, which reportedly allows them 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.

On August 31, HRW reported that starting in July authorities began to terminate or refused to renew contracts of Yemenis employed in the country, potentially forcing their return to Yemen. Local media reported in July that the Ministry of Human Resources and Social Development issued a statement on new regulations requiring businesses to limit the percentage of their workers from certain nationalities, including an upper limit of 25 percent for Yemeni nationals.

Access to Basic Services: The government provides preferential access to education, health care, public housing, and other social services to citizens and certain legal residents. 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 the local UNHCR office to provide medical treatment, also following a needs assessment. The government provided COVID-19 vaccines at no cost to all citizens and residents, regardless of legal status.

g. Stateless Persons

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

Citizenship is generally derived only from the father. The law approves acquisition of the original nationality by way of descent through the mother, as an exception, when the mother is a Saudi at the time of birth of the baby, as well as when a baby is born to a father of unknown nationality or no nationality. 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. If the government did not authorize the marriage of a citizen father and a noncitizen mother prior to birth of the children, they may also be considered stateless.

The nationality laws do not allow Saudi women married to foreign citizens to pass their nationality to their children, except in certain circumstances as noted above. Children of Saudi women married to foreign spouses receive permanent residency, but their residency status is revocable in the event of the death of the Saudi mother. 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 can obtain permanent residency in the country without needing a sponsor, and they can receive free government education and medical benefits, although in general they cannot apply for citizenship on the basis of their marriage and residence. These spouses are also included in the quota of Saudis employed in private companies under the labor quota system, which improves their employment prospects.

Female citizens must be between the ages of 30 and 50 to marry a non-Saudi man. Male citizens must be between the ages of 40 and 65 to marry a non-Saudi woman.

The extent to which those laws were enforced was unclear.

In past years the United Nations 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 during the reign of the country’s founder, King Abdulaziz, such as descendants of nomadic tribes not counted among the native tribes, 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 Bidoon children 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.

Some Baloch, West African, and Rohingya Muslims resident in Saudi Arabia were stateless. Some Rohingya had expired passports that Burma refused to renew; others had entered the country with fraudulent travel documents. Many of them had been held in detention for years following their entry into the country under fake passports. UNHCR estimated there were 280,000 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. In March Bangladeshi State Minister for Foreign Affairs Shahriar Alam stated the government would not send Rohingya back to Bangladesh, and that Bangladesh would provide or renew Bangladeshi passports to

some Rohingya living in Saudi Arabia, enabling them to continue residing legally in Saudi Arabia.

There were also between 300,000 and 400,000 Palestinians living in Saudi Arabia who were not registered as refugees.

Section 3. Freedom to Participate in the Political Process

The law does not provide citizens the ability to choose their national 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 any male citizen or noncitizen may express an opinion or a grievance without an appointment. Senior leaders were typically unavailable to the public, but their representatives or lower-level officials continued this traditional practice. Officials may also be reached through written petitions, such as an appeal of decisions from the legal system.

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 until the next election – nominally for four-year terms – but there was no public announcement of conducting municipal elections during the year. Women were allowed to vote and run as candidates for the first time in 2015. The voting age was also lowered to 18. 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 and specifically bans a number of organizations with political wings, including the Muslim Brotherhood, as terrorist groups. The government continued to regard human rights organizations, such as the Saudi Civil and Political Rights Association (ACPRA), as illegal political movements and treated them accordingly.

Participation of Women and Members of Minority Groups: The law permits women and men to engage in political activities on an equally limited basis. Women may vote and run for office in municipal elections and serve on the Shura council. Women served in a small number of senior positions within government ministries. On April 18, Inas al-Shahwan became the country’s third female ambassador. In August local media reported the appointment of two women, Al-Anoud al-Aboud and Fatima al-Rashoud, to top senior leadership positions at the General Presidency for the Affairs of the Two Holy Mosques. Women expanded participation in the military, security forces, and other major institutions. On July 13, soldier Abeer al-Rashed became the first woman to conduct the security forces briefing for Hajj, in September the first class of female soldiers graduated from the Armed Forces Women’s Training Center, and in October the first 30 Saudi female pilots received their licenses from OxfordSaudia Flight Academy.

There were no women on the High Court or Supreme Judicial Council and no female judges or public prosecutors. In January the undersecretary for women’s

empowerment at the Ministry of Human Resources and Social Development claimed in an interview that the appointment of female judges was forthcoming, but by year's end no women had been appointed and no specific plans to do so had been released.

No laws prevent male citizens from minority groups from participating in political life on the same basis as other male citizens. Societal discrimination, however, marginalized the Shia Saudi population, and tribal factors and long-standing traditions continued to dictate many individual appointments to positions.

Government authorities were unlikely to appoint a Bedouin tribesman to a high-ranking ministerial-level position or the senior-most positions in the armed forces.

All Council of Ministers members from tribal communities were members of urbanized "Hamael" tribes, rather than Bedouin tribes. While the religious affiliation of Shura Council members was not known publicly, the council included an estimated seven or eight Shia members. The Council of Ministers contained one religious minority member, Mohammad bin Faisal Abu Saq, a Shia Ismaili, who had held the position of minister of state for Shura affairs since 2014.

Multiple municipal councils in the Eastern Province, where most Shia Saudis resided, had large proportions of Shia Saudis as members to reflect the local population, including a majority in Qatif and 50 percent in al-Hassa. 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, and the government generally implemented the law effectively. The National Control and Anticorruption Commission (Nazaha) has sole authority to investigate and prosecute reports of corruption involving government employees. Nazaha's ministerial-level director reports directly to the king. During the year the government joined two multilateral efforts to counter corruption. In February it joined the Organization for Economic Co-operation and Development Working Group on Bribery. In June it founded the Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE) for UN member states to share

anticorruption information under the UN Office on Drugs and Crime. Human rights organizations criticized the government for using anticorruption campaigns as a pretext to target perceived political opponents and for arbitrarily detaining and abusing individuals targeted in the crackdown (see sections 1.c.; 1.d., Pretrial Detention; and 1.e., Threats, Harassment, Surveillance, and Coercion).

Corruption: Nazaha conducted countercorruption campaigns throughout the year. It published monthly (based on the lunar Hijri calendar) reports of its activities, providing the overall number of investigations and arrests during the prior month and a list of the government ministries or agencies involved. It periodically published limited details concerning convictions in cases that involved either senior-level officials or large sums of money; however, the press releases did not identify the officials by name or provide enough details to allow identification.

On May 27, Nazaha announced that an unnamed “senior member” of the royal family was convicted of using falsified academic credentials to obtain a government position. The prince received a two-year prison sentence and a moderate fine.

On June 28, the *Middle East Monitor* alleged that Fahd bin Turki bin Abdulaziz Al Saud, the former joint force commander initially arrested on corruption charges in September 2020, was sentenced to death for treason for allegedly attempting a coup. He remained in prison.

On August 11 Nazaha stated that an unnamed provincial governor was convicted of bribery and embezzlement and received a sentence of three years in prison and a small fine.

Section 5. Governmental Posture Towards 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 often cooperated with and sometimes accepted the recommendations of the NSHR, the sole government-licensed domestic human rights civil society organization. The NSHR accepted requests for assistance and complaints regarding government actions affecting human rights. The government blocked websites of unlicensed local human rights groups and charged their founders with founding and operating unlicensed organizations (see 2.b., Freedom of Association).

The government did not allow international human rights NGOs to be based in the country and restricted their access to the country for visits; there were no transparent standards governing visits by international NGO representatives. International human rights and humanitarian NGOs reported 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.

The United Nations or Other International Bodies: In March the *Guardian* reported that a senior Saudi official in Geneva was accused of threatening to “take care of” UN special rapporteur on extrajudicial, summary, and arbitrary executions Agnes Callamard during her investigation into the 2018 murder of Jamal Khashoggi. The *Washington Post* later reported the unnamed official was Saudi Human Rights Commission president Awad al-Awad. He stated publicly that he had been present at the meeting but denied making any threatening remarks.

Government Human Rights Bodies: The government had mechanisms to investigate and punish abuse, but their effectiveness was limited. 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 HRC worked directly with the Royal Court and the Council of Ministers, with a committee composed of representatives of the Shura Council and the Ministries of Labor and Social Development and Interior, and with the Shura 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, and trafficking in

persons. While they avoided topics such as protests or cases of political activists that would require directly confronting government authorities, they inquired into complaints of mistreatment by some high-profile political prisoners. The 18 full-time members of the HRC board included nine women and at least three Shia members; they received and responded to individual complaints, including those related to persons with disabilities, religious freedom, and women's rights.

The Shura Council's Human Rights Committee also actively followed cases and included women and Shia among its members.

The HRC and NSHR maintained records of complaints and outcomes, but privacy laws protect information concerning individual cases, and information was not publicly available. On June 29, the HRC stated it handled 4,593 complaints in 2020, a 9 percent increase over 2019.

The Board of Grievances, 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. 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. Military and security courts investigated an unknown number of abuses of authority and security force killings. 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.

Citizens may report abuses by security forces at any police station or to the HRC or NSHR. The Public Prosecutor's Office announced in July the launch of the Ma'akom system, which allows citizens and residents to submit complaints directly regarding illegal detention or violations of detainee rights, using the online platform Absher, a hotline telephone number, or in person (see Administration in section 1.c., Prison and Detention Center Conditions).

Section 6. Discrimination and Societal Abuses

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 in some cases courts punished victims as well as perpetrators for illegal “mixing of genders,” even when there was no conviction for rape. Survivors must prove that a 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. Most rape cases were likely unreported because survivors faced societal and familial reprisal, including diminished marriage opportunities, criminal sanctions up to imprisonment, or accusations of adultery or sexual relations outside of marriage, which are punishable under sharia. There were reports that domestic abuse in the form of incest occurred but was seldom reported to authorities due to fears of societal repercussions, according to local sources.

The law against domestic violence defines domestic abuse broadly and criminalizes domestic abuse with penalties of one month to one year of imprisonment or a fine unless a court provides a harsher sentence.

Researchers stated it was difficult to gauge the magnitude of domestic abuse, which they believed to be widespread. Recent studies varied widely, finding the rate of domestic abuse among women to be anywhere between 15 to 60 percent. In July, referencing a Ministry of Health report, local media reported authorities were investigating more than 2,700 domestic violence cases, in which 75 percent of the alleged survivors were female. The National Family Safety Program, a quasi-governmental organization under the Ministry of National Guard, is charged with spreading awareness of and combatting 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. Activists

reported the situation had improved in recent years, with greater awareness of resources for domestic violence survivors, such as the domestic violence hotline managed by the Ministry of Human Resources and Social Development. They also noted a continued increase in authorities' willingness to investigate and prosecute domestic violence perpetrators, but they expressed concern that some police departments continued to neglect domestic violence cases.

On January 27, Prisoners of Conscience reported that a woman known only as Manal was arrested after publishing details on the disappearance and death of her 26-year-old sister, Qamar, allegedly at the hands of their two brothers. Manal stated on Twitter that her two brothers killed Qamar for setting up a public Snapchat account. Authorities in al-Kharj stated they arrested two individuals in connection with the murder on January 21. As of November, Manal's whereabouts were unknown.

The government made some efforts to reduce domestic violence. The Ministry of Human Resources and Social Development administered government-supported family-protection shelters, although women reported that remaining in the shelters was not always voluntary. On March 29, the HRC and the Mawaddah Charitable Association signed a memorandum of understanding to increase coordination and antidomestic violence awareness efforts. It would establish an independent body to research domestic violence, propose changes to the legal framework, and develop specialized centers for survivors, local media reported. No additional information on implementation of the memorandum was available as of December.

Female Genital Mutilation/Cutting (FGM/C): The official government interpretation of sharia prohibits the practice; however, some studies indicated up to 18 percent of women reported having undergone some type of FGM/C.

Sexual Harassment: The extent of sexual harassment was difficult to measure, with little media reporting and no official government data. No statistics were available on the incidence of sexual harassment due to reluctance to report violations.

On January 12, the Council of Ministers approved an amendment to the antiharassment law that allows for the public release of names of those convicted

for harassment, as a deterrent and to prevent offenders' employment in certain jobs. The law criminalizing sexual harassment carries a maximum penalty of five years in prison and a substantial fine. The HRC stated that a legal punishment against sexual harassment is irreversible, even if the victim renounced his or her own rights or did not file a legal complaint.

Local media reported a number of incidents of harassment during the year. In March the Public Prosecutor's Office ordered the arrest of a man seen in a video insulting and assaulting two young women in the streets of Riyadh and filed a criminal suit against him. On February 22, local media reported that former shura council member Iqbal Dandari won a case against a man for cyberharassment. Details regarding the case were unknown. On September 26, local media reported a number of sexual harassment incidents during National Day celebrations. Security authorities arrested and referred to the Public Prosecutor's Office three Saudi citizens in Medina, a Saudi and an Egyptian resident in Riyadh, and a Saudi citizen in Taif for harassing women.

In April the HRC launched a specialized group for confidential support of victims of sexual harassment and their families with psychological counseling and educational, social, and legal guidance.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Premarital sex is illegal under sharia law, and hospitals and health centers may report extramarital pregnancies to police. Access to most contraceptives required a prescription, but condoms were available at pharmacies and supermarkets for over-the-counter purchase. According to 2020 estimates by the UN Population Fund, 15 percent of all women and 23 percent of married women between the ages of 15 and 49 used a modern method of contraception.

In some cases women may be discouraged from making certain reproductive health decisions due to cultural and religious beliefs, social pressure, and lack of awareness of their rights.

Almost all women had access to skilled health attendants during pregnancy and childbirth. The most recent UN Population Fund estimates reported that skilled

health personnel attended 99 percent of births between 2010 and 2019. While some women in rural areas had to travel to the closest medical facility to receive treatment, others received health services from Ministry of Health-sponsored mobile health clinics. According to the government, women are entitled to medical assistance during pregnancy and delivery; the right to decide the details of their deliveries; and obtain maternity care in a language she understands and is appropriate to her cultural and religious beliefs. Adult women also have the right to consent to any medical procedures.

Governmental and quasi-governmental agencies provided medical care to sexual violence survivors as well as psychological and social support. The Ministry of Human Resources and Social Development's Center for Protection Against Abuse runs a 24-hour hotline and shelters across the country with access to medical care for victims of sexual violence, while the quasi-governmental National Family Safety Program agency provided medical support to sexual abuse victims. (See sections 2.g. and 6, Children, for issues related to legal status for children born outside of marriage.)

Discrimination: Women continued to face discrimination under law and custom. A series of regulations issued from 2019 through year's end, however, granted women many of the same rights enjoyed by men pertaining to travel abroad, civil status, and employment.

Most restrictions under the guardianship system, which had required women to have permission from close male relatives to conduct certain actions, were eliminated. There were reports, however, that government and nongovernment entities, primarily in rural areas, continued to require women to obtain guardian permission prior to providing services.

Women older than 18 have the right to perform several actions pertaining to civil status that were previously limited to men. These included registering the birth of a child; registering the death of a spouse or close relative; registering a marriage or divorce (whether initiated by the husband or wife); and being designated "head of household," thereby allowing women to serve as the guardian of their minor children. Women can also obtain from the Civil Status Administration a "family registry," which is official documentation of a family's vital records that verifies

the relationship between parents and children. This reform allows mothers to perform administrative transactions for their children, such as registering them for school or obtaining services at a hospital.

In June judicial authorities amended the absenteeism law, or *taghayyub*, to allow all unmarried, divorced, or widowed women to live alone without the consent of a male guardian. The amendment followed a July 2020 court decision in which a court ruled in favor of Maryam al-Otaibi, a Saudi woman who lived independently in Riyadh, despite prosecutors' attempt to convict her for absenteeism. Under the previous absenteeism law, guardians could report the unauthorized absence of anyone under their guardianship, which could lead to the arrest, detention, or forcible return of the individual.

In advance of Hajj in July, authorities ended the male guardian requirement for women to participate in the annual pilgrimage.

Adult women may legally own property and are entitled to financial support from their husbands or ex-husbands. They can make their own determinations concerning hospital care and no longer need a male guardian's permission to start a business.

By law women have equal rights to employment. On January 14, the Ministry of Human Resources and Social Development banned employee discrimination on the basis of race, color, gender, age, or disability, citing reforms to human resources laws. Commenting on a job advertisement that contained gender discriminatory language, the ministry stated it violated the labor law, stressing that citizens have equal employment rights without any form of discrimination, including gender.

On February 21, the Ministry of Defense began allowing women to serve in the army, air defense, navy, strategic missile force, and armed forces medical services as enlisted personnel, but not as officers. In November data from the Ministry of Human Resources and Social Development's National Labor Observatory showed women constituted 60 percent of Saudi youth who joined the local employment market during the first nine months of the year.

Women no longer require a guardian's permission to exit prisons after completing their terms.

The law permits women to transmit citizenship to their children under certain circumstances (see section 2.g. and section 6, Children). The country's interpretation of sharia prohibits Muslim women from marrying non-Muslims, but Muslim men may marry non-Muslim women. 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 Bangladesh, Burma, Chad, and Pakistan. 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.

Few businesses still required or pressured women to sit in separate, specially designated family sections in public places.

Cultural norms selectively enforced by state institutions require women to wear an abaya (a loose-fitting, full-length cloak) in public. Female foreigners, like males, were only required to dress "modestly."

Women faced discrimination in courts, where in some cases the testimony of a woman equals one-half that of a man. Women have begun practicing law, but all judges are male. 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 more access to courts, even if they chose to cover their faces with the *niqab* covering.

In February 2020 the Justice Ministry ended the so-called secret divorce, whereby men could divorce their wives without the woman's consent or knowledge. The ministry also canceled an article in the marriage law that gave a husband the right to force his wife to return to her home against her will.

A woman needs a guardian's permission to marry or must seek a court order in the case of *adhl* (male guardians refusing to approve the marriage of women under their charge). In such cases the judge assumes the role of the guardian and may approve the marriage. During the year courts executed marriage contracts for women whose male guardians refused to approve their marriage, according to informed judicial sources quoted by local media. According to local media in 2020, courts considered an average of 750 marriage contract cases annually.

In February the crown prince announced forthcoming legal reforms that would impact the personal status law and expand protections for women. On October 24, Minister of Justice Walid al-Samaani stated the personal status draft law would address a woman's agreement to marriage, preserving her and her children's financial and alimony rights, as well as other issues related to divorce requests. Additional details regarding these reforms were not made public by year's end.

Courts routinely awarded 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 some cases former husbands reportedly prevented divorced noncitizen women from visiting their children.

Sharia-based inheritance laws discriminate against women, giving daughters one-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 the university level was standard. Some private universities, such as -Faisal University, 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. A few other government universities offered coeducation in selected programs, largely in the sciences. Private international and national schools may offer coeducation at any grade; most private international schools are coeducational, while most private national schools are segregated. Primary public schools offered mixed-gender education up to the third grade.

Systemic Racial or Ethnic Violence and Discrimination

Although racial discrimination is illegal, societal discrimination against members

of national, racial, and ethnic minorities was a problem. 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. There was also discrimination based on tribal or nontribal lineage. A tolerance campaign by the King Abdulaziz Center for National Dialogue sought to address discrimination, and it provided training during the year to combat discrimination against national, racial, or ethnic groups.

Children

Birth Registration: Citizenship generally derives from the father, and both the father and mother 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.g., Stateless Persons). On June 25, the social security administration announced children from foreign fathers and Saudi mothers will be allowed to benefit from their mother's pension, as long as she is widowed or divorced. In January the HRC stated that a child born in the country to unknown parents would be considered a Saudi citizen.

Child Abuse: Abuse of children occurred. The National Family Safety Program operated a helpline dedicated to assisting children in matters ranging from bullying to abuse, providing counseling, tracking, and referrals to social services. The Ministry of Human Resources and Social Development had 17 social protection units across the country providing social protection to children younger than 18 as well as other vulnerable populations suffering domestic violence and abuse. Child abuse is a crime punishable by one year's imprisonment, a maximum fine of 50,000 riyals (\$13,300), or both.

On January 30, local media reported that the family protection unit in Jizan investigated the case of a 15-year-old girl abused by her father, stating that legal actions would be taken against him. There were no updates as of November.

Child, Early, and Forced Marriage: The minimum age for marriage is 18; those younger than that age may marry only with court approval. According to local media, the court ensures several conditions are met before approving a marriage contract for a bride or groom younger than 18, including assessing their psychosocial development and hearing statements from the potential bride, groom, and guardians to determine consent. 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 such marriages. The application for a marriage license must record the bride's age, and registration of the marriage is a legal prerequisite for consummation.

Sexual Exploitation of Children: The 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 substantial fine if the crime includes the exploitation of minors. The law does not define a minimum age for consensual sex. In February a woman was arrested for sexually abusing a girl in Riyadh. The woman allegedly filmed herself and the girl and posted the footage on social media. In the same month, Mecca police arrested a man for sexually harassing a child. He reportedly posted a video of the harassment on social media.

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/reported-cases.html>.

Anti-Semitism

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

Cases of government-employed imams using anti-Semitic language in their sermons were generally rare but occurred more frequently during the May conflict in Gaza. The law requires government-employed imams to deliver all sermons in mosques in the country. The Ministry of Islamic Affairs vets all sermons. During

the year the ministry issued periodic circulars to clerics and imams in mosques directing them to include messages on the principles of justice, equality, and tolerance and to encourage rejection of bigotry and all forms of racial discrimination in their sermons.

On January 30, a *Washington Post* article cited expert assessments that anti-Semitic references and language in Saudi textbooks had been removed or tempered, including calls to “fight the Jews.” Nonetheless, some concerns remained regarding anti-Semitic themes in textbooks; for example, a textbook’s passage refers to a Quranic text that suggests God changed a group of Israelites into “monkeys.”

A report by the Anti-Defamation League (ADL) stated that the October Riyadh International Book Fair included exhibitors selling more than two dozen notoriously anti-Semitic books. The ADL noted that the presence of these anti-Semitic books at the largest book fair in the country “seem[s] at odds with some positive Saudi trends.”

In January a group of Israeli drivers traveled to Saudi Arabia to compete in the Dakar Rally, despite a ban on Israeli travelers to the country. On February 2, the English-language newspaper *Arab News* ran an op-ed by two Israeli writers, Hay Eytan Cohen Yanarocak and Jonathan Spyer, believed to be the first time a Saudi newspaper knowingly published Israeli writers.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law mandates the state to “protect human rights in accordance with Islamic law,” which the Authority for Persons with Disabilities notes includes justice, equity, and antidiscrimination on any grounds, including disability. On January 14, the Ministry of Human Resources and Social Development banned workplace discrimination, including on the basis of disability (see section 6, Women). On April 21, the ministry announced that all private and government institutions were

obliged to meet certain accessibility requirements within six months; accommodations were implemented at some government buildings, retail establishments, and sidewalks. Local media reported that the ministry had formed expert committees to oversee the implementation of accessibility requirements that would follow the building code and accessibility standards developed by the King Salman Center for Disability Research. Newer commercial buildings often included such access, as did some newer government buildings.

The Ministry of Human Resources and Social Development is responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities into the mainstream. Children with disabilities could attend government-supported schools. The Ministry of Education took measures to integrate students with disabilities, including special education programs in regular schools, training faculty members who work with students with disabilities and providing technological instruments for students with disabilities free of charge. On September 29, the education minister stated students with disabilities would have equal educational opportunities to help them integrate into the labor market, adding that the ministry had prepared a teaching and training strategy to ensure students with disabilities students received proper education and training.

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.

HIV and AIDS Social Stigma

There were no reports of societal violence or discrimination against persons with HIV or AIDS. By law the government deported foreign workers who tested positive for HIV or 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 counter stigma and discrimination against persons with HIV or AIDS.

Acts of Violence, Criminalization, 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, queer, and intersex (LGBTQI+) organizations did not operate openly, nor were there LGBTQI+ 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. Clerics condemned homosexuality during government-approved Friday sermons at some mosques.

During the year local newspapers featured opinion pieces condemning homosexuality and calling on authorities to punish harshly individuals engaging in same-sex relations.

On October 24, local media reported that Northern Borders Province police arrested and referred for prosecution five men who appeared in public in women’s clothing. The men filmed themselves and posted the video on social media in an apparent attempt to attract more social media followers. A police spokesman described their conduct as “inconsistent with the public morals of society.”

Observers at the December MDLBeast Soundstorm music festival reported that it included the public display of LGBTQI+ culture.

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 offered by the King Abdulaziz Center for National Dialogue for police and other law enforcement officers.

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; however, trade unions and labor committees existed. The law does not provide for the right to collective bargaining or the right to conduct legal strikes. Workers faced potential dismissal, imprisonment, or, in the case of migrant workers, deportation for unsanctioned 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 of Human Resources and Social Development 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 that are limited to improvements to working conditions, health and safety, productivity, and training programs.

The law does not prohibit antiunion discrimination or require reinstatement of workers fired for union activity. There was little information on government efforts to enforce applicable laws and whether penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination.

b. Prohibition of Forced or Compulsory Labor

The law does not prohibit or criminalize all forms of forced or compulsory labor, and forced labor occurred, especially among migrant workers, notably domestic workers. Conditions indicative of forced labor experienced by foreign workers reportedly included withholding of passports, nonpayment of wages, restrictions on movement, and verbal, physical, and sexual abuse. The law prohibits the confiscation of passports and nonpayment of wages. Penalties for violations of labor laws were not commensurate with those for other analogous serious crimes,

such as kidnapping. The government improved enforcement of the law, including electronic systems to monitor and ensure compliance. On March 14, the government announced the Labor Reform Initiative, which eliminated the need for many private-sector workers to obtain their employer's permission to obtain an exit and re-entry visa, obtain a final exit visa, or change employers at the conclusion of their contract or after one year. This provided increased freedom of movement and lessened the risks of forced labor for seven million private-sector workers. According to the Human Resources Ministry, as of November, 65,000 workers had successfully changed employers. The Labor Reform Initiative does not apply to domestic workers (see section 2.d.).

Many migrant workers, particularly female domestic workers, who are not covered under the labor law, were unable to exercise the right to terminate their employment contract, change employers, or leave the country without undue restrictions. Employers may require a trainee to work for them upon completion of training for a period not to exceed twice the duration of the training or one year, whichever is longer.

The government expanded to all private-sector companies the implementation of the Wage Protection System, which requires employers to pay foreign workers by electronic transfer through a Saudi bank. The government also implemented a mandatory e-contract system that includes type of work, salary, duration of contract, working hours, and annual leave. Contracts were verified by both the employer and employee. The government reported it used the Mudad platform to track Wage Protection System and e-contract compliance in real-time and imposed penalties for any firm that failed to maintain at least 80 percent compliance on a monthly basis.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits and criminalizes all the worst forms of child labor and provides for a minimum age of employment. 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. A ministerial decree provides that hazardous operations, such as use of power-operated machinery, or harmful industries, such as mines and quarries, may not employ legal minors. 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 applicable laws and whether penalties were commensurate with those for other analogous serious crimes, such as kidnapping. Authorities mostly enforced the law in response to complaints regarding children begging on the streets.

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

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

The labor law in general prohibits discrimination in the terms of recruitment as well as during employment. The law mandates that employers treat all workers equally and barred discrimination on the basis of gender, disability, age, or any other forms of discrimination, whether in work, employment, or advertising a vacancy. No regulations prohibit discrimination on the basis of religion, political opinion, national origin or citizenship, sexual orientation or gender identity, language, or HIV-positive status. Gender-based violence and harassment occurred in the workplace (see section 6, Women). Discrimination with respect to employment and occupation occurred in all these categories. There are no effective complaint resolution mechanisms to determine whether any existing penalties were commensurate with other laws on civil rights, such as election interference.

Women may work without their guardian's permission, but some employers required applicants to submit proof of it, even though the law prohibits the practice. A 2019 decree expanded previous regulations barring employers from firing female workers on maternity leave and includes protection from dismissal for pregnancy-related illness if the absence is less than 180 days per year. Employers who violate the antidiscrimination law can be fined. The antidiscrimination law only applies to citizens and does not protect the rights of expatriates. There was widespread societal discrimination against African and Asian expatriate workers.

In recent years women's labor participation increased significantly, including in sectors traditionally dominated by men (see section 6, Women). Prohibitions on employment of women in some hazardous jobs and night shifts were lifted. The Ministry of Human Resources and Social Development explicitly approved and encouraged employment of women in specific sectors, particularly in government and retail, but women continued to face societal discrimination, and gender segregation continued in the workplace. In medical settings and the energy industry, women and men worked together, and in some instances, women supervised male employees. There were no women working as judges or as members of the Council of Senior Religious Scholars.

The first-quarter *Labor Market Report* by the General Authority for Statistics found the labor force participation rate of the total female working-age population was 33.6 percent. Most non-Saudi women were employed as domestic workers.

No regulation requires equal pay for equal work. In the private sector, the average monthly wage of Saudi women workers was 64 percent of the average monthly wage of Saudi men. Labor dispute settlement bodies did not register any cases of discrimination against women.

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. Women who work in establishments with 50 or more female employees have the right to maternity leave and childcare. 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 those wearing niqabs, for law enforcement purposes. In 2020 the military chief of general staff inaugurated the first women's wing in the armed forces, and on April 25, the Ministry of Defense created a joint admissions portal for upcoming military positions open to both women and men. In September the first class of women graduated from the Saudi Armed Forces Training Academy.

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. They 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 and employees of municipalities and public schools. A small number of Shia occupied high-level positions in government-owned companies and government agencies. Shia were also underrepresented in employment in primary, secondary, and higher education.

e. Acceptable Conditions of Work

Wage and Hour Laws: The monthly minimum wage for public-sector employees was above the estimated poverty-income level. There was no private-sector minimum wage for foreign workers.

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. The law requires employers to provide paid holidays on Eid al-Fitr, Eid al-Adha, and Saudi National Day but does not apply to domestic workers sponsored by individuals rather than companies.

An estimated 10.2 million foreign workers, including approximately 1.4 million women, made up approximately 75 percent of the labor force, according to the General Authority for Statistics' labor market survey for the first quarter. 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 law.

The law provides penalties for bringing foreigners into the country to work in any service, including domestic service, without following the required procedures and obtaining a permit. Penalties, however, were not commensurate with those for similar crimes, such as fraud.

Occupational Safety and Health: The government issued occupational safety and health standards that were up-to-date and appropriate for the main industries. The law provides for regular safety inspections and enables ministry-appointed inspectors to make unannounced inspections, initiate sanctions, examine materials used or handled in industrial and other operations, and submit samples of suspected hazardous materials or substances to government laboratories. The government effectively enforced the law.

The Ministry of Health's Occupational Health Service Directorate worked with the Ministry of Human Resources and Social Development on health and safety matters. Responsibility for identifying unsafe situations remains with occupational safety and health experts and not the worker. By law employers are obligated to safeguard safety and health requirements in the workplace to protect employees from harm and disease. Regulations require employers to protect some workers from job-related hazards and disease, although some violations occurred. Penalties for violations of occupational safety and health laws were not commensurate with those for crimes such as negligence. Punishment for labor violations involved a range of fines and the possible temporary or permanent closure of a business. The law does not provide workers the right to remove themselves from a hazardous workplace without jeopardizing their employment.

Informal Sector: The law requires that a citizen or business must sponsor foreign workers for them to obtain legal work and residency status, although the requirement exempts Syrian and Yemeni citizens who overstayed their visas. The Ministry of Human Resources and Social Development implemented measures allowing noncitizen workers to switch their employer to a new employer or company that employed a sufficient quota of Saudi citizens. Some workers were unaware of the new regulations and were forced to remain with their sponsor until completion of their contract or seek the assistance of their embassy to return home. There were also instances in which sponsors bringing foreign 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. Authorities, however, would not jail or forcibly return fleeing workers who sought to exit the country within a 72-hour period or coordinate with their embassy for repatriation, provided 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. Those provisions were not drafted in line with international standards and varied depending on the bargaining power of the foreign workers' country. There were 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 without due compensation, and restrictions on movement due to passport confiscation. There were also reports of physical, psychological, sexual, and verbal abuse.

There were reports that some migrant workers, particularly domestic employees, were unable 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 in the country, usually held foreign workers' passports, a practice prohibited by law. In some contract disputes, in order to prevent the employee from leaving the country until resolution of the dispute, sponsors asked authorities to coerce the employee into accepting a disadvantageous settlement or risking deportation without any settlement.

While some foreign workers were able to contact the labor offices of their embassies for assistance, domestic workers faced challenges when attempting to gain access to their embassies, including restrictions on their freedom of movement and telephone access, confiscation of their passports, and being subjected to threats

and verbal and physical abuse. During the year several dozen (primarily) female domestic workers sought shelter at their embassies' safehouses to escape physical and sexual abuse by their employers. Those workers usually sought legal assistance from their embassies and government agencies to obtain end-of-service benefits and exit visas. In addition to their embassies, some domestic servants could contact the NSHR, HRC, Interministerial General Secretariat to Combat Human Trafficking, and Migrant Workers' Welfare Department, which provided services to safeguard migrant workers' rights and protect them from abuse. Some were able to apply to the offices of regional governors and lodge an appeal with the Board of Grievances against decisions by those authorities.

Occupational safety and health regulations do not cover farmers, herdsmen, domestic servants, or workers in family-operated businesses. Although the Ministry of Human Resources and Social Development employed nearly 1,000 labor inspectors, foreign workers privately reported frequent failures to enforce health and safety standards. Although statistics were unavailable, examples of major industrial accidents during the year that caused the death or serious injury to workers included local media reports from February 15 that at least six Bangladeshi migrant workers were killed in a fire at a furniture factory in Medina.