

Human Rights in Saudi Arabia 2016

Annual Report

Key issues

- Freedom of Expression
- Freedom of Assembly
- Human Rights Defenders
- Prisoners of Conscience
- The Saudi Prison System
- Torture in a Climate of Impunity
- Women's Rights
- Workers' Rights
- Stateless Persons



Human Rights in Saudi Arabia

2016 Annual Report

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ALQST

Advocating for Human Rights

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MESSAGES FROM ALQST

To the people of Saudi Arabia we say:

Human rights violations and the suppression of Freedom of Speech puts more reformers' and activists' lives at risk. It destroys society by concealing the truth, and allows for a dictatorship. Saudi society has an absolute duty to expose and challenge such abuses by all legitimate means.

To human rights organisations, activists and supporters of freedom we say:

People inside Saudi Arabia feel heavily constrained, and they value your efforts and support. The fact that the people of Saudi Arabia do not interact with you directly does not mean they have not noticed, but that they are afraid the Authorities will pounce on them.

To the Saudi Authorities we say:

These human rights violations and abuses must stop completely. Attempting to exert a dictatorship by means of executions, torture, lengthy prison sentences, suppressing freedom of speech and the oppression of all other freedoms in Saudi society will continue to ruin the Kingdom and hold back its progress. It increases the risk of the country turning to violence or stagnating through corruption. What is happening now in Saudi Arabia is a War on Freedom, the destruction of society and the obliteration of history, jeopardising the Kingdom's future, and it has to stop at once. Freedom, justice and equality must be permitted to take their course, and the Saudi people must be allowed to participate in the running of their own country. The Saudi people are entitled to a life of dignity as befits their noble heritage, and to have their history and culture respected. It is their right that 2017 should not be a year of misery and oppression like 2016 and previous years.

To Nations allied with the Saudi regime, and the rest of the international community, we say:

Do not believe the claims from the Saudi regime and its agents that its people are content with what is going on inside the Kingdom. Remember that the people of this country are entitled to a life of dignity just like the rest of the world. The Saudi Authorities' systematic attempts to pervert the image of Saudi society should not be accepted on your part, or promoted by your media and circles of influence. Saudi society should not be labelled as extremist, terrorist, backward or uninterested in reform simply because the Saudi Authorities dismiss it as such, when in fact the people of Saudi Arabia are constrained, threatened and unable to express their opinions freely. Remember that human rights apply to all human beings irrespective of religion, race or colour. Oil, arms deals and financial lobbying should not blind you or prevent you from taking a serious moral position in support of human rights and freedom.

To groups practising violence, and their supporters, we say:

What you are doing plays into the strategy of the Saudi Authorities, which is all about creating change by force and rules out all calls for change by peaceful means. Violence is the Saudi Authorities' prime justification for carrying on with their abuses and their continued suppression of human rights. They use the wrongdoings of violent groups to justify their oppression and promote themselves abroad as standing up to violence, while portraying Saudi society as extremist and backward. They exploit the killings of innocent victims, worthy Saudi civilians and security officers. The whole nation suffers as a result of the violence, and the only ones to benefit are the Authorities. Everyone involved in violence, either actively or by their support for it, please take a step back now and give it up. Instead work to resist violence and dictatorship together by all peaceful and legitimate means.

INTRODUCTION

In 2016, the Kingdom of Saudi Arabia saw a further ramping up of repression that has gone on ever since King Salman came to power in January 2015. When King Salman took the throne, he made lavish promises that quickly proved empty and did nothing to improve conditions in Saudi Arabia. From a human rights perspective the situation has continued to deteriorate. 2016 represented another year in the era ushered in by King Salman when he appointed as Crown Prince the Minister of Interior, Mohamed bin Nayef – the man responsible for the suppression of liberties, the persecution of activists and other human rights abuses. In addition, the King appointed his own son, Mohamed bin Salman, as Deputy Crown Prince, Defence Minister and Chair of the Council for Economic Affairs - the person responsible for the War Crimes committed in Yemen and the economic crisis back home in Saudi Arabia, where poverty and unemployment have risen alarmingly.

Throughout 2016, activists continued to be put on trial in the Specialised Criminal Court, a court set up by illegal means to deal with terrorism cases. Lengthy prison sentences continued to be handed down to human rights activists, advocates of reform, and civil society activists. Harsh sentences were also handed down to a number of writers, journalists and others.

The Saudi war on Yemen continued, with the documented use of internationally banned weapons. The Saudi Authorities acknowledged the use of cluster bombs in Yemen, after a long period of denial on their part and on that of their allies and arms suppliers. They also admitted responsibility for the dual airstrike on a funeral in the Great Hall in Sana'a on October 8, 2016, which killed over 100 people and injured 500.

Approximately 154 executions were carried out in 2016, almost as many as in 2015, which reached a 20-year high of approximately 158 executions. The Saudi Authorities kicked off 2016 with a mass execution of 47 individuals across several different cities in the Kingdom.



In October 2016, Saudi Arabia's membership of the UN Human Rights Council was renewed. This was in spite of continued autocratic rule in the Kingdom which included attacks on free speech and peaceful calls for reform, the denial of the basic rights for women,



minorities and migrant workers, mass arrests as well as the continued 'discretionary' use of the death penalty for non-violent crimes.

FREEDOM OF EXPRESSION

Freedom of Expression is a fundamental human right. Yet throughout 2016 the Saudi Authorities continued to tighten restrictions on the free expression of opinions. This is in contrary to their frequent claims that free speech is guaranteed in the Kingdom of Saudi Arabia. In June 2015, for example, King Salman stated publicly that any Saudi citizen could bring legal action against the King himself or any member of the government or ruling family. He claimed that this was because no one is above the law, and that this was a guaranteed, fundamental right. He said he welcomed criticism, and if anyone saw something wrong they should bring it to his attention.

“Our doors are open, our telephones are open, and our ears are open”.

Despite this open door approach, the Saudi Authorities continued to crack down on free speech and the expression of opinions. The Kingdom tightly controls domestic media content - they ban journalists and editors who publish articles deemed offensive to the Authorities. The Authorities also routinely block or hack thousands of websites and internet accounts, all in a sustained campaign to suppress independent voices and to solely promote the official word.

The Authorities arranged prison visits for a number of journalists working for a government newspaper, who have subsequently written that there is no abuse in Saudi prisons. This is contrary to reports by independent organisations, such as those published by ALQST based on evidence from its own sources.

Activists are often called in for questioning, arrested and interrogated, many of whom go on to face lengthy and unfair trials, merely for expressing their views.

Prominent writer and commentator Dr. Zuhair Kutbi was arrested in July 2015 for giving a television interview which aired some of his ideas for peaceful reform in the Kingdom and criticised the Authorities. He was sentenced to four years in prison (with two years suspended), a hefty fine, a five-year travel ban upon release and a 15-year ban on writing in December 2015. He had been detained at least six times previously. On January 6, 2016, Kutbi was transferred to the run-down, disease and crime-ridden Mecca Penitentiary despite having serious health issues.

On January 11, 2016, activist Samar Badawi was called in for questioning at a police station, arrested and transferred to Dhahban Prison. She was released the following day.

On February 2, the death sentence against Palestinian poet Ashraf Fayadh was commuted to eight years in prison and 800 lashes. The charges against him were blasphemy and criticising the Authorities.

On February 17, the poet Abdulmajid al-Zahrani was arrested; he was subsequently released.

Also in February, activist Fahd al-Arini was arrested; he was charged with 'defaming the Ruler' and 'criticising the Minister of Interior'. Al-Arini was sentenced in November to 10 years in prison.

On March 3, following continued harassment of human rights activists, lawyer Taha al-Haji left Saudi Arabia for Germany after being summoned by the Criminal Investigation Department in Al-Hasa. Rights activist Waleed Sulais soon followed and they were both granted political asylum.

March 4, 2016 marked the fifth anniversary of the arrest of prisoner of conscience Mohammed al-Wadani, who has been in jail since March 2011 for holding up a placard opposing the regime outside al-Rajhi Mosque in Riyadh after Friday prayer.

On or around March 7, 2016, researcher Mohanna al-Hubail was sentenced to six years in prison for his writings and political views for which he had already been tried. Al-Hubail remains outside the Kingdom of Saudi Arabia; the sentence was passed in his absence.

March 19, 2016 marked the third anniversary of the arrest of Dr Abdullah al-Hamed and Dr Mohamed al-Qahtani for their reformist activism and participation in the establishment of the Saudi Civil and Political Rights Association (ACPRA).

On March 19, 2016, the Authorities arrested Dr Mohamed al-Hodaif at King Khaled International Airport on his return from Turkey. The reason for his arrest is thought to be related to his comments made on Twitter which criticised the UAE. Al-Hodaif remains in Malaz Prison in Riyadh.

On March 24, the Specialised Criminal Court sentenced journalist Alaa Brinji to five years in prison. The sentence has since been increased to seven years in July 2016.

On April 6, 2016, activist Isa al-Nukhaifi was released from prison having spent three years and eight months behind bars.

The Saudi Authorities re-arrested him on December 18 for calling for the release of political prisoners on Twitter.

On April 7, the Authorities arrested Fahad al-Fahad, having called him in for questioning after he posted calls for human rights on Twitter.

On April 12, the Saudi Authorities released Sudanese activist Waleed Hussein after eight months in detention since July 2015.

April 16, 2016 marked the second anniversary of the arrest of human rights defender Waleed Abu al-Khair, who is still in prison serving a 15-year sentence for his human rights activism.

On or around April 22-23, word spread that Dr Abdulaziz al-Tarefe had been arrested, followed by Suleiman al-Duwaish. The Authorities offered no information about the reasons or circumstances behind the arrests.

Towards the end of April, human rights defender and ACPRA member Mohammed al-Bajadi was released from the Mohamed Bin Nayef Counselling Centre. On October 20 he announced on Twitter that he was giving up writing.

On April 22, Issa al-Hamid, one of the founding member of ACPRA, was sentenced to nine years in prison, followed by a nine-year travel ban upon release, for his activities defending human rights. His sentence was substantially increased in December.

On May 4, Dr Abdulaziz al-Wuhaibi, the Chair and one of the founders of the Islamic Umma Party, was re-sentenced to seven and a half years in prison with a two-year suspension, having already been sentenced twice previously, and having been held in detention since 2011.

On May 9, 2016, it was announced that detained activist Abdulaziz al-Sunaidi was suffering mistreatment and medical neglect in prison.

At the end of May, ALQST learnt that Jaber bin Saleh Hamdan Al Sulaiman al-Amri had been sentenced to seven years in prison, followed by a seven-year travel ban and a fine of 50,000 riyals (\$13,300; £11,200). Jaber was one of many Saudi men and women who took part in the social media “ID Cards Revolution” of 2014, with a call for his brother to be let out of prison following the expiry of his sentence. Jaber posted a video of himself beside his sick father, whom Jaber, 40, and married with three children, had had to support on his own for over 10 years while his brother was in jail. After the “ID Cards Revolution” in 2014, the Saudi Authorities tracked down the participants, and nothing more was heard of most them. In the majority of cases there has still been no news of them more than two years later, and ALQST has been unable to ascertain their fate.

Of those that ALQST are aware of, two individuals are outside the country; some are said to have been referred to the Specialised Criminal Court and one has been released from prison and subsequently jailed again. Abdullah bin Mabrouk Uthman al-Ghamdi is known to have been released, and Jaber al-Amri is now known to have been tried and sentenced.

Saoud Marda Abdullah al-Harbi was arrested after taking part in the campaign, as this was confirmed by his brother Wafi Marda Abdullah al-Harbi, who was then himself arrested for posting a video confirming his brother's arrest. Meanwhile, ALQST has no firm information concerning the fate of the following: Abdulaziz Mohammed Fahad al-Dosari, Mut'ib al-Shammari, Ma'adh Mohammed al-Jahni, Ghali bin Nawar al-Hadhli, Ali al-Jahni, Majed al-Asmari, Yousef al-Mutairi, Mohammed al-Shammari, Musfir al-Khath'ami, Hamed al-Hadhli, Shima al-Malki, Saba al-Assiri, Fatima al-Obaidi al-Qahtani, Aljazi bint Sitam al-Onzi, Riyadh al-Assiri, Mohammed Al Eidan and Abdulkarim al-Balwi.

On May 29, 2016, the Specialised Criminal Court sentenced activist and ACPRA member Abdulaziz al-Shubaily to eight years in prison, followed by an eight-year travel ban upon release and a ban on writing. It re-issued the same sentence in January 2017 for his human rights work and his ACPRA membership.

The writer Ibrahim al-Sakran was arrested on June 3, and went on trial from December 15, for posting a video six years ago in which he talked about rallies calling for the release of detainees. Al-Sakran is charged with 'damaging the fabric of society by slandering organs of the state, belittling their achievements and inciting public opinion'. He is also accused of 'interfering in the affairs of other countries by insulting the presidents of the UAE and Egypt.

On June 5, Abdulmalik ibn Sulaiman al-Alwan was sentenced to 10 months in prison, suspended for five months, for tweeting about his imprisoned father, Sulaiman al-Alwan.

Also on June 5, the Saudi Authorities arrested the academic and media activist Ahmad bin Rashid bin Saeed, seizing him at dawn

only to release him shortly afterwards.

On June 7, Waleed Abu al-Khair (see April 16, above) embarked on a hunger strike that lasted six days, in protest over his mistreatment in prison, including being denied access to reading materials and medical treatment.

On July 9 the writer Mohammed Maarouf al-Shibani announced on Twitter that he was giving up writing, and on August 13 the writer Abdullah al-Muflih did likewise.

On August 24, a new case was opened against Dr Abdullah al-Hamed, who was questioned in prison about his letter of advice to the King entitled "The Flaws of Despotism".

On September 2, Salim bin Hussein al-Zidani al-Maliki was arrested by members of the border guard for opposing the forced eviction of tribes from Jizan, near the border with Yemen. He was handed over to the police then sent to prison, where he remains in detention while on trial for tweeting in defence of local people's rights.

On September 4, the health of Dr Saud Mukhtar al-Hashimi deteriorated, and he was left to suffer for a long time before being taken to a doctor. He was not given the opportunity to get fresh air and sun or to walk about, and his dietary requirements were not being met. Al-Hashimi has been in prison since 2007 and has suffered medical neglect before, as well as physical and psychological torture, once to extract confessions and on another occasion to make him end a hunger strike. He raised this at his trial, but the Judge refused to listen. Al-Hashimi suffers from medical conditions that require regular care and monitoring which he does not receive in prison, yet the Authorities will not allow him out to a hospital, there-

by placing his life in jeopardy.

On September 5, the Specialised Criminal Court issued a new sentence of seven years in prison followed by a 10-year travel ban on activist and ACPRA member Omar al-Sa'id, who had previously been sentenced to, and served, two and a half years in jail. He was arrested on June 18, 2013 and released on December 22, 2015.

Also in September 2016, the Specialised Criminal Court sentenced Ibrahim al-Turki, founder of the website Al-Mukhtasar, to five years in prison, half of it suspended, for publishing an article in which he criticised the reduced role of the Committee for the Promotion of Virtue and the Prevention of Vice. The Court considered this to be inciting public opinion. Al-Turki remains in Al-Ha'ir Prison in Riyadh.

On October 7, with the expiry of his unjust eight-year jail sentence, activist Khaled al-Omeir embarked on a hunger strike, demanding to be freed. He kept up his hunger strike for 29 days before being transferred to the Mohamed Bin Nayef Counselling Centre in preparation for his release. He is still being held there.

On October 20, activists Mohamed bin Abdullah al-Oteibi and Abdullah bin Modhi al-Atawi received notification of a case against them in the Specialised Criminal Court, and were informed of the date for the first session of the trial. This took place on October 30. Charges were brought against the two men relating to their peaceful activism and free speech. The main charges being the founding of a human rights organisation, the Union for Human Rights.

On November 6, the Specialised Criminal Court in Riyadh sentenced Fadel al-Shoala, a social activist arrested on December 16, 2015, to four years in prison followed by a four-year travel ban upon release. The sentence was confirmed in January 2017.

November 7 was the date set for a further session of the trial of ACPRA member Issa al-Hamid (see April 24, above and December 1, below) in the Specialised Criminal Court.

Also in November, the Specialised Criminal Court in Riyadh issued a 10-year jail sentence against Fahd al-Arini, who had been detained since February 2016 (see above) and remains in Malaz Prison, Riyadh.



The Specialised Criminal Court in Riyadh

On November 27, Dr Abdulaziz al-Wuhaibi (see May 4, above) was moved to the Mohamed Bin Nayef Counselling Centre in preparation for his release.

On December 1, Issa al-Hamid's sentence (see April 24, above) was increased from nine to 11 years in prison, an 11-year travel ban upon release and a fine of 100,000 riyals (\$26,500; £22,500).

December 15 saw the opening of the trial of writer Ibrahim al-Sakran (see June 3, above).

On December 18, Isa al-Nukhaifi was called in for questioning and arrested. The following day he appeared before the Bureau of Investigation and Public Prosecution. He is still being held in detention under investigation regarding Twitter posts in which he called for the release of prisoners of conscience and his involvement in setting up a Twitter account called "The People's Parliament".

December 21 was the date set by the Authorities for the sentencing of activist Ali bin Hussein al-Dubaisi, Head of the European Saudi Organisation for Human Rights, who now lives in Germany.

Also during 2016, the initial six-year prison sentence passed onto activist Yahya al-Wadi'i was annulled and he was sent back to the Specialised Criminal Court, which he has refused to deal with. No new sentences has been issued against him - Al-Wadi'i remains in Shaar Prison in Abha.



FREEDOM OF ASSEMBLY

The Saudi Authorities arrest and punish activists who organise or take part in demonstrations or engage in any other civil or political activity. Saudi Arabia has no laws guaranteeing Freedom of Association, and has historically approved civil association licences mainly for charities under tight government control. No laws protect the rights to form independent labour unions, bargain collectively or engage in strikes. Workers who engage in union activity are subject to dismissal and punishment including prison, or expulsion in the case of non-Saudi nationals.

Although the Authorities have passed a law on civil associations and organisations, this does not permit the establishment of human rights organisations, and some of its provisions are clearly designed to restrict the formation of fully independent civil associations and organisations. The Kingdom of Saudi Arabia has yet to prove that it respects the right to Freedom of Assembly, despite its accession to international agreements that explicitly confirm this as a right.

Hundreds of detainees remain in prison on charges such as demonstrating, picketing and joining peaceful gatherings. Others remain in prison even after their cases have been dismissed or they have completed their sentences. Some have been sentenced to death for charges including demonstrating.

While no large-scale demonstrations have taken place in the Kingdom, smaller protests are staged from time to time in various parts of the country, particularly in the mainly Shia Eastern Province. The Authorities usually arrest all the participants, who are often locked up, beaten and tortured, regardless of Saudi Arabia's commitments to safeguard the right to Freedom of Assembly and to prevent torture.

The Authorities are still holding a group of political activists, known as the Jeddah Reformers, who have refused to sign a letter



of apology, renouncing their former activities, in order to obtain a royal pardon. The case of the Jeddah Reformers dates back to February 2007, when the Saudi Authorities rounded up a total of 16 activists in Jeddah and Medina whom they accused of trying to form a group opposing the regime. They were remanded in custody without trial until February 2010.

When their trial began, it was in a Security Court attached to the Specialised Criminal Court set up in 2008 to examine terrorism cases. They received harsh jail sentences, of up to 30 years in the case of Dr Saud Mukhtar al-Hashimi. In 2012 they were offered the option of a Royal Pardon if they signed an undertaking acknowledging that they deserved the sentences they had been given, and recognising the Authorities' right to send them back to jail to serve out the rest of their sentences if they did anything the Authorities considered provocative.

While some of the activists agreed to sign, six of them decided not to. These six activists are: Dr Saud al-Hashimi (the alleged leader of the group), Dr Musa al-Qarni, Dr Abdulrahman al-Shumayri, Abdulrahman Khan, Abdullah al-Rifa'i, and former Judge Sulaiman al-Rashudi. Al-Rashudi was freed on bail in 2011, but arrested again in December 2012 after giving a lecture in which he argued that demonstrations are legitimate within Islam, and refuted a fatwa from the Authorities Council of Senior Scholars that sought to outlaw demonstrations and peaceful protests.

Other activists who have been punished for establishing or attempting to establish civil associations include the founders of the Saudi Civil and Political Rights Association (ACPRA) and Waleed Abu al-Khair, who founded Monitor of Human Rights in Saudi Arabia (MHRSA). In 2016 the Authorities also reopened the case against the Union for Human Rights, which activists Abdullah al-Atawi and Mohamed al-Oteibi are currently on trial for seeking to set up in 2013.

The Saudi government has continued to target ACPRA members because of their calls for human rights and political reforms. It has never recognised ACPRA as an organisation, or the right of its members to form such an association, except to order its closure by judicial decree in 2013.

Its members have now all been given heavy prison sentences, after unfair trials, for the crime of setting up a civil association concerned with human rights. Most of them were tried in the Specialised Criminal Court that was set up to hear terrorism cases, and in prison their rights are being violated. The last three were sentenced in 2016.

HUMAN RIGHTS DEFENDERS

Many of the political prisoners in Saudi Arabia are known to be prisoners of conscience. A large number of them have been swept up in the Authorities' so-called War on Terror, but are in fact being held for their peacefully held and expressed political or religious views. This includes calls for social reform and in defence of human rights. They are tried in the Specialised Criminal Court, which is neither legitimate nor independent of the government, and was set up for the purpose of trying terrorism cases. Most human rights defenders are also charged and found guilty under the 2014 Counter-Terrorism Law.

Today the majority of Saudi Arabia's human rights activists are in prison, on trial, or being subjected to intense harassment.



PRISONERS OF CONSCIENCE

Waleed Sami Abu al-Khair



Date of arrest: April 15, 2014

Place of arrest: The Specialised Criminal Court (SCC)

Manner of arrest: While Waleed was in court, attending the fifth session of his trial, the judge issued an order for his arrest pending the outcome of the case. He was sent to al-Ha'ir Prison without the knowledge of his family or lawyer.

Sentence: 15 years in prison without suspension, a ban on foreign travel for a further 15 years after expiry of his prison term, and a fine of SR200,000 (\$53,000; £43,000)

Court: The SCC

Date of sentencing: June 6, 2014

Charges against him: "Showing contempt for the judiciary", "communicating with foreign parties", "calling for a constitutional monarchy", "using the media to distort the country's reputation", and "stirring up public opinion against the country's ruling system".

Present location: Dhahban Prison

Isa Marzouq al Nakhefi (Aesa al-Nukhaifi)



Isa al Nakhefi

Date of arrest: December 18, 2016

Place of arrest: The Mabatheth (General Investigations Directorate) in Dammam

Manner of arrest: Abdurrahman was summoned to the CID by telephone, and after he had gone there his son was informed that there was an arrest warrant against him.

Sentence:

Court:

Date of sentencing:

Charges against him: tweets about ACPRA, other prisoners of conscience and his online "People's Parliament" idea

Present location: Mecca Penitentiary

Fadhel Mekki al-Manasef



Date of arrest: October 2, 2011

Place of arrest: Awamiyah police station

Manner of arrest: When the police arrested the fathers of two wanted men, Fadhel went to talk to the police and tell them that this was illegal. One of the fathers had a heart attack, and Fadhel called the Red Crescent. Fadhel was subsequently arrested and taken next day to the Mabaheth (General Investigations Directorate) in Dammam.

Sentence: 15 years in prison, a 15-year travel ban and a fine of SR100,000 (\$26,500; £22,500)

Court: Fadhel was brought before the Specialised Criminal Court four times between June 2011 and September 2012, twice in Riyadh and twice at the SCC's summer base in Jeddah, on matters dating back to 2009. On the last occasion his case was postponed indefinitely.

Date of sentencing: April 17, 2014

Charges against him: Rebelling against the ruler, producing, storing and communicating with foreign media organisations hostile to the government and people of Saudi Arabia

Present location: The Mabaheth prison in Dammam

Dr Mohammad Fahad al-Qahtani



Date of arrest: March 9, 2013

Place of arrest: The Specialised Criminal Court (SCC) in Riyadh

Manner of arrest: Following the SCC's verdict in the ACPRA trial

Sentence: 10 years in prison and a further 10-year travel ban

Court: The SCC in Riyadh

Date of sentencing: March 9, 2013

Charges against him: Participating in the establishment of an unlicensed association, seeking to undermine state policies, providing false information about Saudi Arabia to UN bodies dealing with human rights, inciting international organisations to criticise Saudi Arabia, mobilising public opinion against the security forces and senior officials by accusing them of human rights violations, calling the judiciary unjust, impugning the integrity and piety of the country's senior religious scholars, insulting state officials, trying to create divisions within society, and rebelling against the ruler.

Present location: Al-Ha'ir Prison, Riyadh

Dr Abdullah al-Hamid



Date of arrest: March 9, 2013

Place of arrest: The Specialised Criminal Court (SCC) in Riyadh

Manner of arrest: Following the SCC's verdict

Sentence: The SCC sentenced Abdullah in the ACPRA trial to 5 years in prison in addition to the remaining portion of a sentence handed down previously – in a case involving Abdullah and two other reformers – making a total of 11 years, and a further 5-year travel ban.

Court: The SCC in Riyadh

Date of sentencing: March 9, 2013

Charges against him: Participating in the establishment of an unlicensed association, seeking to undermine state policies, providing false information about Saudi Arabia to UN bodies dealing with human rights, inciting international organisations to criticise Saudi Arabia, mobilising public opinion against the security forces and senior officials by accusing them of human rights violations, calling the judiciary unjust, impugning the integrity and piety of the country's senior religious scholars, insulting state officials, trying to create divisions within society, and rebelling against the ruler.

Present location: Al-Ha'ir Prison, Riyadh

Dr Abdulrahman al-Hamid

Date of arrest: April 17, 2014

Place of arrest: The Criminal Investigation Department (CID)

Manner of arrest: Abdurrahman was summoned to the CID by telephone, and after he had gone there his son was informed that there was an arrest warrant against him.

Sentence: 9 years in prison and a fine of SR50,000 (\$13,300; £11,200) Court: The Specialised Criminal Court

Date of sentencing: October 13, 2015

Charges against him: Stirring up public opinion, spreading chaos and calling for demonstrations, insulting the authorities, and participating in the establishment of an unlicensed organisation (ACPRA). Present location: Malaz Prison, Riyadh



Dr Abdulkareem al-Khoder

Date of arrest: April 24, 2013

Place of arrest: The Criminal Court in Buraydah

Manner of arrest: By the court

Sentence: 10 years in prison and a travel ban of similar duration

Court: The Specialised Criminal Court

Date of sentencing: October 19, 2015

Charges against him: Disobeying the ruler, incitement against the regime, distorting the image of the state and disseminating false information to foreign parties, and participating in the establishment of an unlicensed association (ACPRA) Present location: Buraydah criminal prison



Fawzan al-Harbi

Date of arrest: November 19, 2014

Place of arrest: The Specialised Criminal Court (SCC)

Manner of arrest: By the court

Sentence: 10 years in prison followed by a travel ban of similar duration

Court: The SCC

Date of sentencing: November 19, 2014

Charges against him: Disobeying the ruler, distorting the image of the state, and participating in the establishment of an unlicensed association (ACPRA)

Present location: Al-Ha'ir criminal prison, Riyadh



Saleh al-Ashwan

Date of arrest: July 7, 2012

Place of arrest: The street

Manner of arrest: Saleh was arrested coming out from dawn prayer

Sentence: 5 years in prison with a travel ban of similar duration

Court: The Specialised Criminal Court

Date of sentencing: Unconfirmed

Charges against him: Stirring up public opinion, spreading chaos, insulting the authorities

Present location: Al-Ha'ir political prison, Riyadh



Suleiman al-Rashoudi



Date of arrest: November 12, 2012

Place of arrest: Picked up on the street

Manner of arrest: Hours after delivery of a lecture by Suleiman entitled “Demonstrations in Islamic Sharia”, two civilian vehicles turned up and he was arrested.

Sentence: 15 years in prison followed by a further 15-year travel ban

Court:

Date of sentencing: November 22, 2011

Charges against him: Plotting to form a group that would plan an insurrection against the ruler

Present location: Al-Ha’ir political prison, Riyadh

Tawfiq al-Amer



Date of arrest: August 18, 2011

Place of arrest: Picked up on the street in al-Hasa

Manner of arrest: Tawfiq was arrested in al-Hasa on his way home from the mosque after maghreb prayer. He was stopped on the road and taken away to an unknown location. After constant searching for nearly a week it was discovered that he was in the public jail in Dammam.

Sentence: 8 years in jail followed by a 10-year travel ban on his release, together with a ban on public speaking.

Court: The Specialised Criminal Court

Date of sentencing: August 2014

Charges against him: Criticising the monarchy, stirring up dissent, calling for change, and issuing fatwas against the ruler

Present location: Al-Ha'ir criminal prison, Riyadh

Abdulaziz al-Sunaidi

Date of arrest: February 8, 2015

Place of arrest: At a petrol station

Manner of arrest: Abdulaziz was snatched by a group of plainclothes officers

Sentence: 8 years in prison followed by a further 8-year travel ban, and a fine of SR50,000 (\$13,300; £11,200)

Court: The Specialised Criminal Court

Date of sentencing: October 2015 | Charges against him: Incitement against public order and signing a petition calling for demonstrations, insulting the king, spreading chaos, and using his Twitter account to stir up public opinion

Present location: Buraydah criminal prison



Mohannad al-Mohaimeed

Date of arrest: November 28, 2012

Place of arrest: Opposite the Labour Ministry office in Buraydah

Manner of arrest: Mohannad was arrested during a sit-in, and beaten while being arrested

Sentence: 10 years in prison followed by a travel ban of similar duration, and a fine of SR100,000 (\$26,500; £22,500)

Court: The Specialised Criminal Court

Date of sentencing: March 9, 2014 | Charges against him: Taking part in a sit-in, taking photos of the sit-in with intent to publish them, lack of respect for the authorities, and insulting officials

Present location: Tarfiyah Prison, Qassim



Khaled al-Omair

Date of arrest: January 1, 2009

Place of arrest: Nahda Road, Riyadh

Manner of arrest: Khaled was arrested during a sit-in in support of Gaza

Sentence: 8 years in prison

Court: The Specialised Criminal Court

Date of sentencing: May 2011

Charges against him: Taking part and inviting others to take part in a sit-in, and rebelling against the ruler

Present location: The Mohammed Bin Nayef Counselling Centre



Dr Abdul Rahman al-Shumayri

Date of arrest: February 2, 2007

Place of arrest: The guest-house of lawyer Issam Basrawi

Manner of arrest: The guest-house was raided by heavily armed forces and its occupants were made to lie down on the ground before being taken away to prisons

Sentence: 15 years in prison and a further 15-year travel ban upon release

Court: The Specialised Criminal Court

Date of sentencing: November 22, 2010

Charges against him: Plotting to form a group that would plan an insurrection against the ruler, as well as other vague and unspecified accusations

Present location: Dhahban Prison, Jeddah



Dr Musa al-Qarni

Date of arrest: February 2, 2007

Place of arrest: The guest-house of lawyer Issam Basrawi

Manner of arrest: The guest-house was raided by heavily armed forces and its occupants were made to lie down on the ground before being taken away to prisons

Sentence: 20 years in prison and a further 20-year travel ban upon release

Court: The Specialised Criminal Court

Date of sentencing: November 22, 2010 | Charges against him: Plotting to form a group that would plan an insurrection against the ruler, as well as other vague and unspecific accusations

Present location: Dhahban Prison, Jeddah



Dr Saud al-Hashimi

Date of arrest: February 2, 2007

Place of arrest: The guest-house of lawyer Issam Basrawi

Manner of arrest: The guest-house was raided by heavily armed forces and its occupants were made to lie down on the ground before being taken away to prisons

Sentence: 30 years in prison and a further 30-year travel ban upon release, and a fine of SR1 million (\$267,000; £215,000)

Court: The Specialised Criminal Court

Date of sentencing: November 22, 2010 | Charges against him: Plotting to form a group that would plan an insurrection against the ruler, as well as other vague and unspecific accusations

Present location: Dhahban Prison, Jeddah



Alaa Brinji



Date of arrest: May 12, 2014

Place of arrest: at a checkpoint on his way to Bahrain with his wife.

Manner of arrest: He was arrested by members of the security forces, some of them in civilian clothes, at a checkpoint on his way to Bahrain with his wife. He was taken to the General Directorate of Investigations (GDI, also known as al-Mabahith) prison in Dammam, where he is still detained.

Sentence: 7 years in prison and a fine of SR50,000 (\$13,300; £11,200), an 8-year travel ban and closure of his Twitter account

Court: The Specialised Criminal Court

Date of sentencing: March 24, 2016

Charges against him: “Insulting the rulers”, “stirring up public opinion”, “accusing security officers of killing demonstrators in Awamiyah” in the Eastern Province of Saudi Arabia

Present location:

Ashraf Fayadh



Date of arrest: January 2014

Place of arrest: A café in Abha

Manner of arrest: Ashraf was arrested during a gathering in a café in the city of Abha

Sentence: 8 years in prison and 800 lashes, reduced from an earlier sentence of execution

Court: The General Court in Abha

Date of sentencing: In April 2014 the court sentenced Ashraf to 4 years in prison and 800 lashes, but on appeal the General Court in Abha sentenced him, on November 17, 2015, to execution on a charge of apostasy. On February 2, 2016 the previous sentence was quashed and reduced to 8 years in prison and 800 lashes.

Charges against him: Apostasy, blasphemy, and criticising the political authorities

Present location: Abha Prison

Raif Badawi



Date of arrest: June 17, 2012

Place of arrest: A supermarket in Jeddah

Manner of arrest: Raif was arrested then detained by the Saudi authorities at Nuzha police station in Jeddah. He was initially accused of “filial disobedience” but the charges against him were later changed.

Sentence: 1,000 lashes and 10 years in prison, as well as a fine of SR1 million (\$267,000; £215,000), according to the latest sentence against him, passed on May 7, 2014 and amending a previous sentence, issued on July 29, 2013, of 7 years in prison, 600 lashes and closure of the Free Saudi Liberals website

Court: The General Court in Jeddah

Date of sentencing: May 7, 2014

Charges against him: Insulting Islam, violating the Saudi anti-cybercrime regulations by creating a website prejudicial to public order, and helping others to do so. The number of posts on the website that insulted members of the Committee for the Promotion of Virtue and the Prevention of Vice and some religious scholars was cited in evidence.

Present location: Dhahban Prison, Jeddah

Dr Zuhair Kutbi



Date of arrest: July 15, 2015

Place of arrest: His home in Mecca

Manner of arrest: Six black 4×4 vehicles carrying at least nine masked security personnel arrived at Dr Kutbi's home in Mecca on the morning of July 15, 2015. They beat him on the back with their rifle butts while taking him away to an unknown detention centre before he was moved to Dhahban Prison in Jeddah for a day. On the third day they transferred him to Mansour police station for questioning, and over the course of the next eight days they moved him around between three detention centres in Mecca.

Sentence: 4 years in prison, a ban on writing, publishing or making media appearances for 15 years, and a fine of SR100,000 (\$26,600), with a 2-year stay of execution of the prison sentence because of his failing health.

Court: The Specialised Criminal Court

Date of sentencing: December 21, 2015

Charges against him: Stirring up public opinion, fomenting dissent, and undermining respect for authority

Present location: Mecca Penitentiary

Wajdi Ghazzawi

Date of arrest: August 10, 2012

Place of arrest: Near the mosque after Friday prayer, Jeddah

Manner of arrest: Toward the end of 2011, the Saudi authorities contacted Sheikh Wajdi through Dr Abdulaziz Khoja, who was Minister of Information at the time. They asked him to return to Saudi Arabia and end his Fadhfadha awareness campaign



on satellite TV, and offered him a guarantee of full immunity from any legal consequences. The promise of immunity was subsequently confirmed by the Interior Minister, Deputy Crown Prince Mohamed bin Nayef. On the basis of these promises, Wajdi returned to Saudi Arabia in November of that year. He was met at the airport by representatives of Prince Mohamed bin Nayef, but within a week of his return Wajdi realised that he was under house arrest and barred from leaving the capital, Riyadh. After that his interrogation by the Public Prosecutor began, and he was transferred between Mecca and Jeddah under escort and heavy restraint until August 10, 2012, when he was arrested after Friday prayer in a rough and violent manner.

Sentence: 12 years in jail followed by a 20-year travel ban

Court: The Specialised Criminal Court

Date of sentencing: February 3, 2014

Charges against him: Distorting the image of the Saudi kingdom; producing, storing and sending material prejudicial to public order; stirring up dissent; incitement against the ruler; accusing the government of corruption; claiming that the kingdom follows a policy of slavery; and communicating with and receiving support from hostile parties.

Present location: Mecca Penitentiary

Mohammed al-Wadani

Date of arrest: March 4, 2011

Place of arrest: At Al-Rajhi Mosque, during a sit-in

Manner of arrest: Mohammed was kicked, beaten and dragged into a police car

Sentence: A 15-year prison term and travel ban | Court: The Specialised Criminal Court in Riyadh | Date of sentencing: September 5, 2013

Charges against him: Calling for the overthrow of the regime, calling for the release of political prisoners, and taking part in a sit-in

Present location: Al-Ha'ir Prison



Jaber al-Amri

Date of arrest: April 13, 2014

Place of arrest: Riyadh, at his home, setting out to see his father in hospital

Manner of arrest: More than 15 persons, some of them armed, ambushed Jaber as he started his car. This was after he had posted a video clip showing the suffering of his sick father and his brother in detention.

Sentence: 7 years in prison and a 7-year travel ban on release, and a fine of SR50,000 (\$13,300; £11,200)

Court: The Specialised Criminal Court, with Judge Mohammed Uthman al-Zahrani presiding

Date of sentencing: May 2014 | Charges against him: Disseminating material prejudicial to public order, accusing the state of failing to apply Islamic law, and stirring up public opinion

Present location: Riyadh Penitentiary, the new prison at al-Ha'ir



Fahd al-Arini

Date of arrest: February 2016

Place of arrest: His home

Manner of arrest: Fahd was apprehended at home after returning from evening prayer; the Authorities stormed and searched his house, intimidated his family and broke some of their possessions before taking him to prison.

Sentence: Ten years in prison

Court: The Specialised Criminal Court in Riyadh

Date of sentencing: November 2016

Charges against him: Defaming the ruler and criticising the Minister of Interior.

Present location: Malaz Prison, Riyadh



Yahya Wadi'i

Date of arrest: 2013

Place of arrest: On the streets of Riyadh

Manner of arrest: He was stopped in the middle of the street and taken into detention.

Sentence: Yahya was given an initial sentence of six years in prison pending further sentencing.

Court: The Specialised Criminal Court in Riyadh

Date of sentencing: 2016

Charges against him: Calling for reform and the release of prisoners of conscience

Present location: Shaar Prison, Abha



Ibrahim al-Turki

Date of arrest: Unconfirmed

Place of arrest: The General Investigations Directorate (Mabaheth)

Manner of arrest: Ibrahim was called in to the Mabaheth for questioning and then arrested.

Sentence: Five years in prison, suspended for half of that period

Court: The Specialised Criminal Court

Date of sentencing: September 2016

Charges against him: Publishing an article in which he criticised the reduced role of the Committee for the Promotion of Virtue and the Prevention of Vice, and inciting public opinion

Present location: Al-Ha'ir Prison, Riyadh



Salem al-Maliki

Date of arrest: September 1, 2016

Place of arrest: On the street, in the Jazan region

Manner of arrest: Salem was apprehended by border guards, who handed him over to the police, because of his protests against a decree ordering the forced evacuation of villages on the border with Yemen.

Sentence:

Court:

Date of sentencing:

Charges against him:

Present location:



Dr Mohamed al-Hodaif

Date of arrest: March 19, 2016

Place of arrest: King Khaled International Airport, Riyadh

Manner of arrest: The Saudi authorities apprehended Dr Hodhaif at Riyadh Airport on his return from Turkey following tweets critical of the UAE, which are thought to be the reason for his detention

Sentence: He has not been tried (unconfirmed)

Court:

Date of sentencing:

Charges against him:

Present location: Malaz Prison



Dr Abdulaziz al-Tarefe

Date of arrest: April 22-23, 2016

Place of arrest:

Manner of arrest:

Sentence: He has not been tried (unconfirmed)

Court:

Date of sentencing:

Charges against him:

Present location:



Ibrahim al Sakran



Date of arrest: June 3, 2016

Place of arrest: His home (unconfirmed)

Manner of arrest: Some sources say he was arrested inside his home by the Mabaheth (General Investigations Directorate) (unconfirmed)

Sentence: He is still on trial

Court: The Specialised Criminal Court in Riyadh

Date of sentencing: None as yet; the trial began on December 5, 2016

Charges against him: Tweeting and posting a video six years ago in which he talked about rallies calling for the release of detainees. He has been accused of damaging the fabric of society by slandering organs of the State, belittling their achievements and inciting public opinion. He is also accused of interfering in the affairs of other countries by insulting the Presidents of the UAE and Egypt.

Present location: Malaz Prison, Riyadh

THE SAUDI PRISON SYSTEM

The majority of Saudi prisons suffer from overcrowding, crime and drugs, and medical and administrative neglect. During 2016 ALQST recorded a number of incidents in Saudi jails:

On January 18, over 100 prisoners in Jeddah went on hunger strike because some of them had not been released even after completing their sentences; the protests lasted for two days.

On February 23, a prisoner in Mecca Penitentiary died of tuberculosis, after the prison authorities had ignored multiple pleas to be taken to hospital.

On February 25, prisoner Abdullah al-Onzi died following a blow to the head with a sharp instrument in Al-Ha'ir Prison after fighting broke out between gang members. Al-Onzi himself had no part in the fight when the gang members were brought out of solitary confinement, where they had been placed because of an earlier fracas, and returned to the wing.



On April 30, in a classic case of mismanagement and neglect, a prisoner identified only as S.F.A. died of an overdose on the drugs wing in Riyadh.

The situation in Saudi prisons varies from one institution to another, and changes from time to time, as a result of poor management and weak oversight. However the features detailed in this report are common if not typical of the Saudi prison system.

Broadly, there are two types of prison in Saudi Arabia: the special prisons of the Mabatheth (General Investigations Directorate) and the general prisons of the Ministry of Interior's General Directorate of Prisons.

1 – Mabatheth special prisons

Mabatheth prisons are political prisons used for the detention of suspects in cases designated “terrorist” or relating to the security of the ruling family and regime, and in cases concerning political parties, groups, organisations, cell formations and so on. All suspects in such cases are held in these prisons. During 2016 the Mabatheth opened some new prisons and expanded others.



Mabaheth prisons have a reputation for tight control, for physical and psychological torture, and for extracting forced confessions. They are financially and administratively separate from the General Directorate of Prisons, and so can offer better meals than other prisons, and on the whole better medical care – sick prisoners are sometimes moved to private hospitals.

A Mabaheth prison is usually divided into a number of sections, each with a number of locked rooms with their own television and toilet. Local and international TV channels are available, as well as local and subscription sports channels.

Inmates are allowed a phone call twice a month with limited number of phone numbers determined in advance. Each inmate has a set time when he is taken, handcuffed, shackled and blindfolded, to the place where the telephone is located. He picks up the phone and asks to be connected to one of the names stored in it. The duration of each call depends on how much time the prison authorities grant him, but is normally 10 minutes every two weeks.

Prisoners are supposed to be allowed outdoors for half an hour two days a week, but this is subject to the ruling of the prison administration and rarely happens, though this varies from section to section and even room to room.

The food in political prisons is better than in criminal prisons and is delivered to each room. A limited range of local newspapers is provided sporadically to each room, but again this varies from one prison to another.

Prisoners can sometimes purchase toiletries, and they all wear prison uniforms. They are not allowed to bring their own clothes or personal effects into the prison. There are normally fewer hygiene problems in political prisons than in others, and drug addicts are housed separately from other inmates. The administration determines which category of inmate is allocated to each room, and it is exceptionally difficult for a prisoner to say what kind of person he wants to share a room with. There are also solitary confinement cells where prisoners can be punished with isolation.

2 – Prisons run by the Ministry of Interior's General Directorate of Prisons

The ministry's General Directorate of Prisons runs two types of facility: general prisons and penitentiaries. General prisons hold inmates who are serving prison terms for common law or civil offences, as well as suspects in all kinds of cases, criminal and civil, providing a harsh experience for them both before and during their trials. If found guilty and sentenced, they are then transferred to a prison facility of the second type, a penitentiary.

Penitentiaries are for those who have been awarded a judicial sentence. They categorise and house prisoners according to their crimes, which may include drug use or trafficking, murder, theft, armed robbery, rape, counterfeiting, embezzlement, fraud, alcohol consumption, use of stimulants, lack of respect for parents, adultery, sodomy etc.

This class of prison is typically characterised by:

1 – Dim, poorly ventilated and dilapidated buildings with poor provision of basic services such as toilets and washing facilities, mattresses and bedding. Bathrooms each serve 15-20 prisoners

on average, and most of them have no shower. Overcrowding in prisons may sometimes lead to prisoners having to sleep in the toilets. Sometimes inmates of general prisons are placed in solitary confinement in dirty toilets with no air conditioning or ventilation.

2 – Malnutrition as a result of poor-quality and sometimes rotten food, served in inadequate amounts. An employee of the catering contractors at one prison told an activist that the amount they spent to provide three meals a day was eight riyals (\$2.15; £1.70) per prisoner, although the original price paid by the finance ministry was over 50 riyals (\$13.30; £10.60).

3 – Poor medical care and hygiene practices, leading to the spread of scabies, tuberculosis and other infectious diseases. General prisons provide a low standard of medical treatment through a modest two-room clinic and pharmacy with one general practitioner, who is usually unable to cover all the patients needing attention during the eight-hour day. Most prison clinics cannot measure patients' blood sugar levels, lacking even the simple home devices that every diabetic person owns. Medication for high blood pressure and diabetes is not always available, obliging inmates to bring in their own supplies, at their own expense.

Some prisons in large cities have a dental clinic operating for about four hours one day a week, but sometimes the dentist may not come because of other commitments.

In the worst cases, prisons may transfer sick prisoners, shackled and handcuffed, to the local government hospital. Most prisons and penitentiaries do not have ambulances; some transport patients in minibuses without seats, wrapped in a blanket. In addition, prisons have a so-called quarantine unit where they dump all their prisoners with infectious diseases like scabies, tuberculosis and AIDS, in a degrading, and indeed dangerous, way.

4 – Gross administrative negligence, of which these are a few examples:

1.4 “Tatweef” (literally, walking round in a circle) is what prisoners call it when someone has completed his sentence and is made to go a few more laps of months or even years without being released. Some have done tatweef for over a year because their files went missing, or some other excuse, or because the prisoner had no lawyer or relatives to keep pressing for his release. It is a scandal that people’s lives can be wasted as a result of such bureaucratic negligence.

2.4 There are many cases where prisoners have repeatedly failed to attend court hearings or hospital appointments because there were supposedly no vehicles to transport them there. For example, one penitentiary with thousands of prisoners has just three six-seater minibuses (in which sick patients are carried together even when they are infectious), and one 12-seater bus, which is clearly inadequate to cover the prisoners’ transport needs. Sometimes, even when there is a vehicle, there is no escort officer available to guard a prisoner, and so he is prevented from attending court hearings that may decide his fate. He may even be sentenced in his absence, although, since he is in a state prison, there should be no reason for him not to attend. The situation is similar in other prisons too.

3.4 The lack of appropriate facilities for family visits means that some prisoners are prevented from seeing their families for years

on end, and some refuse to let their families visit them because of the appalling way in which visitors, especially women, are treated.

5 – The impunity with which individual prison officers can mistreat prisoners.

6 – The widespread availability of drugs of all kinds, including marijuana, narcotics and alcohol, sometimes supplied by prison staff.



Prison regimes vary from place to place, and what is banned in one institution may be allowed in another, for example in the matter of newspapers and books, or bringing in food and other items from outside. But what Saudi prisons do have in common is that they are all dirty, poorly ventilated and badly maintained.

In 2016 two new prisons were opened, in Riyadh and Jeddah. They are built to different specifications from previous Saudi prisons, with different lighting, controlled by prison officers; food being

served in an area designed for that purpose; and en suite toilets in each room. When these two prisons first opened, the rules said that prisoners could not bring in their own clothes, and the prison would provide two sets of clothing and bedlinen for each inmate. Latterly, however, because of budget shortages, inmates have been allowed to bring in their own clothes and sheets.

Criminal prisons are divided into wings according to the nature of the crimes committed. On each wing there is a prisoner responsible for communication between the inmates and prison administration, and for resolving disputes between prisoners. The wing consists of a number of rooms with an open area between them.

There are a number of phones fixed to the wall inside the section, and inmates use prepaid phone cards to use them, at a mobile rate of about 0.42 riyals (\$0.12; £0.10) per minute.

The prisons administration in each region contracts with private companies to provide the catering in prisons. Employees of the companies agree that the food is of bad quality and poorly cooked. No main dish is repeated more than once a week, however, and roughly three days a week one meal is accompanied by a piece of fruit. Each room takes its share of the food in containers, which remain in the room throughout the day.

There is a so-called “grocery” system whereby a company contracts with the Directorate of Prisons as a whole to offer goods to prisoners at two to three times the price on the outside, except for cigarettes, which are usually sold at the normal price. Orders are placed by each group and paid for, and a few days later the goods are delivered. For personal hygiene, prisoners buy their own shaving materials and soap, and on each wing there is usually a prisoner who temporarily takes on the job of barber, in return for some material consideration. There are shared toilets on each wing.

In general prisons, TV facilities vary according to the management. Usually only Saudi channels are available, together with Al-Majd satellite channel and channels covering the Saudi football league. The TV set is located within the wing for communal viewing by all inmates.

Visiting takes place two days a week, one day for men and one for women visitors. The facilities for visits vary according to the prison set-up. Some have small private rooms with a glass screen between the prisoner and the visitor, while others have one large area with all the inmates along one side and families along the other, and a space between them down the middle sectioned off by wire mesh fencing on each side. Only first-degree relatives (parents, siblings and children) are allowed to visit.

Criminal prisons are rife with drugs of all kinds. Both verbal and physical violence among prisoners is common, as is a general lack of cleanliness. The lock-up cells are mostly used for individuals identified as troublemakers, for disobeying orders or starting fights.

Sometimes prisoners of conscience are allocated to these general institutions instead of the political prisons. Dr Abdullah al-Hamed, Waleed Abu al-Khair, Dr Mohamed al-Qahtani, Fawzan al-Harbi, Wajdi Ghazzawi and Zuhair Kutbi are just a few of the prisoners of conscience who are shuttled around the wings for drug traffickers, murderers and so on.

Perhaps the reason for sending a prisoner of conscience to an ordinary prison is to punish him, as well as the fear that his ideas might spread if he was placed with political prisoners. Or maybe, if he is put in a political prison, his file can be passed to the Mabaheth for further investigation, maybe under torture. The aim might be to secure a quick concession to placate public uproar over his detention, or to seek a confession to things he didn't do in order to smear his public reputation and steer attention away from the original subject.



Two other classes of institution, run by the Ministry of Social Affairs, ostensibly operate as care homes for children and young people who get into trouble, but effectively function as prisons. There are separate categories of care home for male and female youth offenders.

Young women's care institutions (prisons for girls and young women under 30 years of age, run by the Ministry of Social Affairs)

The way inmates are treated in young women's care homes varies from one facility to another. What they have in common is poor regulation and weak oversight by the authorities, which means that much depends on the approach and attitude of staff members. From studying a number of cases it appears that the authorities' actions tend to make matters worse for the women rather than trying to improve their situation. There are cases where young women are publicly shamed by being toured around schools and universities to tell their stories, or allowed to visit girls outside the institution to learn lessons from hearing their stories. They may receive excessive punishments, for example confinement in an isolation cell for indiscipline. Furthermore, they can be denied their rights in ways completely unrelated to their crime, such as being denied the right to have the paternity of children born outside marriage recognised until after a marriage has taken place.

The administrative structure of most of these institutions consists of a director and two assistant directors, social care and psychology specialists, administrative workers and supervisors working around the clock in shifts. It is the supervisors who have most contact and interaction with the inmates, but they also, unfortunately, have the least skill and training. There have been numerous cases where supervisors' actions, whether in handling everyday matters or in dealing with medical emergencies, have been downright dangerous. They have been forcing the girls to do their own jobs, such as the laundry, cooking and cleaning, and punishing girls who refuse by putting them in solitary confinement. The girls are also brutalised by being beaten, humiliated, deprived of food, and made to stand for long periods in the sun.

The spotlight fell on conditions for the girls and women in these institutions when in August 2015 Hafsa Shu'aib, director of the young women's care home in Mecca, said that inmates were now attempting suicide from time to time. She emphasised, however, that the home's specialist care workers and staff were able to recognise the warning signs and intervene in time to save the situation in most cases.

Ms. Shu'aib's statement came a few days after one of the inmates of the institution had killed herself. The National Society for Human Rights (NSHR) in Mecca held the institution responsible, calling for those who had caused the young woman's death to be put on trial. The director told Al Watan newspaper that the number of suicide attempts among inmates reflected their desire for attention. She said the recent suicide had been the first of its kind, and there had never been a case of suicide at the home before. In fact such cases occur regularly and are recorded by government's own human rights body, the NSHR. Further coverage in the Saudi press in 2016 has kept the issue alive.



Young Women's Care Institution

The buildings themselves are dilapidated and contain a number of cells. They operate as prisons in which detainees, most of them victims of violence, have no freedom of action. Instead of the perpetrators of the violence being punished, the women are imprisoned on the pretext that they are being protected, and they are denied their basic rights. They do not leave the care-prison until their male guardian (father, husband or brother), who may be the person who previously beat them, agrees to take charge of them. A woman may remain in the home until the day she dies, or the management may marry her off to a man of their choosing.

The inmates of the young women's care institution in Mecca lodged a complaint with the Bureau of Investigation and Public Prosecution, which submitted a report to the regional authorities containing one hundred individual complaints from the young women. The main issues they raised about the home were: malnutrition, mistreatment and brutality, the use of solitary confinement, denigration and verbal abuse, and being forced to clean the rooms and toilets.

The report noted the inmates' complaints about the institution's marriage programme, which in most cases failed because of its ad hoc and arbitrary nature, resulting in some of the women involved returning to the institution only a short time later, as the management resorted – according to the inmates' evidence to the investigators – to marrying them off to elderly men and men with deformities.

The daily routine in these institution is sometimes varied and includes some education and vocational training, but the inmates desperately need more of this, and better preparation for life in the world outside, especially those who have been in the home for a

long time and are about to leave it. Weak management is also at the root of the injustice inmates suffer when they are abused and provoked over and over again, and their tormentors can be sure to go unpunished.

Social supervision homes (prisons for boys aged 7 to 18, run by the Ministry of Social Affairs)

Chaos reigns, by and large, in these institutions for young male offenders. The young inmates are not looked after, but in most of the homes they are beaten, whipped and even tortured by various means. Harsh punishment has come to be the dominant feature of these institutions. Relatives of the boys have complained of seeing their children whipped in front of them by the supervisors during visiting times, and the children are not allowed to sit with their families and talk to them in private.

One mother, whom we will identify only as N.Q., has told ALQST how painful it is for her, when she goes to visit her child, to see him emaciated and terrified, sitting beside her in a communal lounge full of other prisoners and their families, all of them together in the presence of the supervisors. She is unable to talk alone with her child, who tells her secretly that he is being beaten and tortured, and is unable to speak out or complain for fear of the supervisors present in the visiting room, who could descend on him and give him a sound beating in full view of his mother.



TORTURE IN A CLIMATE OF IMPUNITY

Prisons in Saudi Arabia operate under a cloak of secrecy and isolation. This applies to both the penitentiaries of the General Directorate of Prisons and the political prisons of the Mabaheth (General Investigations Directorate). No organisation, international agency or media representative is allowed to visit and inspect them other than by arrangement with the Saudi authorities. On the few occasions when such visits have been granted, they have been to wings of the prison that have been prepared in advance, and with official escorts from the Mabaheth or prison administration. No one has been able to make an independent visit or interview prisoners in private.

There are persistent claims of systematic torture in several prisons, particularly those of the Mabaheth, and in interrogation centres. Witnesses report it taking place in rooms specially equipped with torture instruments, which indicates that torture is a routine matter in those prisons. Video footage and photographs of horrendous and degrading torture have been smuggled out of a number of prisons. Numerous reports bear witness to the fact that torture and other forms of ill-treatment are commonly practised in prisons and detention centres in Saudi Arabia.

The judiciary is not independent. Judges routinely allow evidence to be used in court where confessions were allegedly made under duress, without attempting to investigate the allegations. ALQST has documentary evidence of a judge ordering a defendant to be re-interrogated under torture when the evidence against him was initially too weak.

There is no independent monitoring of prisons and detention centres, and no effective mechanism for making complaints. Civil society organisations and human rights defenders who speak out against torture and other abuses are harassed and subject to reprisals including arbitrary arrest and lengthy prison terms.

Saudi Arabia ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the UN General Assembly in 1984, in 1997 but made reservations to Article 20 and paragraph (1) of Article 30, as follows:

“The Kingdom of Saudi Arabia does not recognise the jurisdiction of the Committee as provided for in Article 20” of the Convention, which enables the Committee against Torture to make a confidential inquiry into information that appears to it to indicate that torture is being systematically practised in the territory of a State Party, while at all stages of the inquiry seeking the cooperation of the State Party concerned; and “The Kingdom of Saudi Arabia shall not be bound by the provisions of paragraph (1) of Article 30” of the Convention, which allows for disputes on the interpretation or application of the Convention to be submitted to arbitration or to the International Court of Justice.

In addition, Saudi Arabia has not yet signed or ratified the Optional Protocol to the Convention against Torture, adopted by the UN General Assembly in 2002, the objective of which is “to establish a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment”.

At the UN Committee against Torture’s 57th session, in April 2016 in Geneva, the Saudi delegation announced that the kingdom was considering ratification of the Optional Protocol and the lifting of its reservation to Article 20 of the Convention.

Saudi Arabia is also bound by the Arab Charter on Human Rights, adopted by the League of Arab States in 1994 and ratified by Saudi Arabia in 2009.

Under international pressure, the Saudi authorities have introduced some legislative and administrative reforms of the Kingdom's judicial system, but many glaring shortcomings remain, and many of the safeguards written into its domestic laws are widely disregarded in practice. When making its long overdue periodic report to the Committee against Torture in Geneva in April 2016, the Kingdom avoided addressing several of the Committee's outstanding concerns, and refused to answer many of its requests for data and detailed information.

In that report, Saudi Arabia stated that "torture is a criminal offence, punishable under the provisions of the Islamic Shariah, and the laws of the Kingdom forbid all forms of torture". However, Saudi legislation does not define the crime of torture in a manner consistent with Article 1 of the Convention, and the Kingdom's Basic Law has still not been amended as required to incorporate an absolute prohibition of torture.

ALQST has documentary evidence of a judge ordering a murder suspect to be tortured in December 2014. When the case first came to court there was evidence against the defendant that the judge found strong but inconclusive, and the defendant, who had been confused and given inconsistent statements, persisted in contesting the charge laid against him. The judge ordered the case to be re-investigated with torture being applied to the accused.

In most countries there are basic procedures and protocols in place in the criminal justice system that help ensure that abuses do not and cannot occur. Such safeguards include the right of detainees to legal counsel; the right to contact a family member or other person of their choice to inform them of their arrest and whereabouts; the right to be notified promptly of the reason for their detention and to receive assistance with language translation and interpretation; the right to confidential communication between lawyers and clients; the right to have prompt access to independent medical assistance; and the right to appear promptly before a judge with the power to order their release.



Although Saudi Arabia's 2013 Law of Criminal Procedure claims to afford all detainees with legal safeguards against torture, many of these rights are frequently neglected or denied, and persons arrested are not routinely informed of their rights. Saudi investigators may at their discretion bar accused persons from having contact with other prisoners or detainees, or being visited by anyone other than their lawyers or legal representatives, for up to sixty days. Detainees can be held without charge for up to six months, and

in practice are often held for much longer. There are particular concerns about the frequent violation of safeguards and lack of monitoring in the detention facilities of the Mabaheth, where most of those held are kept in pre-trial detention for prolonged periods of time.

An important safeguard against torture and abuse is independent monitoring of detention centres and prisons. All such facilities should be under judicial supervision and be subject to regular and unannounced visits by independent institutions. In Saudi Arabia the body responsible for such monitoring is the Bureau of Investigation and Public Prosecution, which reports to the Ministry of Interior and thus has a clear conflict of interest. The purportedly independent Human Rights Commission also has a role in prison visiting and monitoring, but is likewise subject to the authority of government officials; its deputy president, H.E. Dr Nasser bin Rajeh al-Shahrani, headed the official Saudi delegation to the Committee against Torture session in Geneva. It has recorded only one case of serious abuse, and there has been no information about the outcome of any investigation or follow-up. The National Society for Human Rights, which the Authorities describe as a civil society organisation, is financially supported by the Ministry of Social Affairs; it too is tasked with prison visiting and receiving complaints, but it is unclear what, if anything, it has achieved in this respect. Furthermore, the detention facilities of the Mabaheth are outside any judicial control and have no formal monitoring arrangements at all.

A climate of impunity

It is difficult to quantify the extent of torture in Saudi Arabia because victims are generally unwilling to discuss the violations they have suffered, due to a not unfounded fear of reprisals against

themselves or their families. The mechanisms available for making complaints are ineffective because they do not ensure confidentiality, and complaints that are made have rarely been reviewed in an appropriate manner. There are no data on investigations resulting in the punishment of perpetrators of abuse.

Civil society could play a valuable role in preventing the possibility of acts of torture by monitoring the conditions and treatment of detainees and prisoners; the Authorities have publicly acknowledged this by allowing the creation of the Human Rights Commission and the National Society for Human Rights. However, as discussed above, these two bodies lack independence, effectiveness and credibility. No other human rights organisations are allowed to operate, as the ministry concerned refuses to license them. The Authorities have systematically harassed, arrested and imprisoned dozens of civil society activists for peacefully speaking out against abuse.

Monitoring of prisons and detention centres, as described above, is weak to non-existent. The judiciary itself lacks independence, being heavily influenced by the Ministries of Justice and Interior, and the King having absolute control over the appointment and dismissal of judges. Defendants' claims in court that their confessions were extracted under torture are routinely dismissed, yet sentences up to and including the death penalty are passed in reliance on these confessions without the allegations being investigated. As a result, those who perpetrate acts of torture and abuse almost always go unpunished, and the victims receive no redress or compensation.

All of these factors contribute to the climate of impunity surrounding torture in the Kingdom of Saudi Arabia.

ALQST believes that torture occurs more often during the interrogation of terrorist suspects than in other cases, though not exclusively. Methods reportedly include severe beatings, including on the soles of the feet; subjection to extremes of temperature; deprivation of food, sleep or light; hooding; suspension by the hands and feet; stress positioning; and being held in solitary confinement for long periods.

In cases known to ALQST, prisoners of conscience – those held solely for peaceful expression of their beliefs, including criticism of the authorities' human rights violations – have also been subjected to cruel, inhuman and degrading treatment or punishment, including beatings, being kept in solitary confinement or in a bitterly cold cell, and deliberate medical neglect.

The introduction of the kingdom's anti-terrorism legislation, the Penal Law for Crimes of Terrorism and its Financing, in January 2014, and the establishment in 2008 of the Specialised Criminal Court for terrorism cases, have made matters worse by reducing still further the safeguards against torture, and by criminalising peaceful acts of expression. The SCC is heavily influenced by the Ministry of Interior and routinely declines to investigate claims of forced confessions.

ALQST would like to highlight the words of UN Secretary-General Ban Ki-moon in this regard:

"As States grapple with their response to violent extremism, it is essential to stress that torture can never be used to fight terror; in fact torture terrorises. The use of torture is wrong from a moral point of view and wrongheaded from a strategic standpoint. Practising torture hurts the very cause of democracy, justice and human rights that the terrorists seek to undermine, and it gives them fuel to gain new recruits".

EXECUTIONS

The Saudi Authorities executed more than 150 individuals during 2016 (154, according to Saudi Press Agency reports), almost equalling the 20-year record set the previous year, of approximately 158 executions in 2015. Saudi Arabia thus maintains its position as having one of the highest execution rates in the world.

The death penalty has been applied to people of various nationalities and for various reasons, notably murder and drug smuggling, and in many cases not on sound legal grounds but by ta'zir – at a judge's discretion. Executions of this kind are the norm in drug smuggling cases.

The year 2016 began with a series of mass executions. On January 2, the Saudi Authorities announced that they had executed 47 prisoners in various cities across the Kingdom in a single day. The Authorities official statement said that in 43 cases the death penalty had been applied by ta'zir – at the judge's discretion – while in the other four it had been hadd al-hiraba, the prescribed punishment for “unlawful warfare”. According to the statement, none of the death sentences was based on qisas (retaliation), although the Saudi media had prepared the ground in advance of the executions by talking of them as qisas punishments.

The concept behind ta'zir punishments is that there is no clear rationale for sentencing once a verdict is reached. The appropriate penalty is a matter for the judge's discretion, not something laid down in the Qur'an or Sunna (teachings of the Prophet). Most religious scholars do not accept that ta'zir, judicial discretion, can extend to the death penalty, but the Authorities insist on giving Judges the power to hand down this punishment on anyone as they see fit and according to their own personal judgement.

Qisas, on the other hand, is what the Qur'an prescribes with regard to the killing of someone who has deliberately committed murder, when the victim's blood relatives refuse to waive their right – and it is not the government's right – to avenge the killing. The blood relatives can either waive or insist on their right to take vengeance on the killer, religious scholars broadly agree.

Yet none of the 47 executed at the beginning of January had been sentenced to death in accordance with the Qur'anic concept of qisas. The Authorities cannot hide behind Shari'a law and tell society and the world through its official media that the verdicts were qisas, when according to its own official statement they were no such thing – they were at government-sanctioned judges' discretion. ALQST considers this a fraudulent attempt to deceive the Muslim world and ward off criticism from the international community, using Shari'a law as an excuse while actually admitting that the judges used their own discretion.

The Saudi judiciary is not independent, and is not guided in its judgements by any clear, transparent legal code. Indeed, the Saudi Authorities refuse to regulate the judiciary by law, and to produce a written code of law. They say that judges have the right to use their discretion in sentencing, yet the Specialised Criminal Court has shown itself to be totally subservient to the Interior Ministry and runs trials on the basis of the Counter-Terrorism Law, which puts the authority of the Interior Minister above that of the court and gives him the right to meddle in judicial proceedings. On a number of occasions the dates of SCC hearings have been announced by the security services.

So the judiciary has no independence whatsoever, in either the laws it follows or the judgements it hands down.

Many of those executed in January 2016 had returned from fighting in Afghanistan, where they had been sent by the Saudi government with its official blessing and in liaison with other allied countries and agencies. On their return they were harassed, persecuted and placed under arrest. ALQST holds the Saudi authorities responsible for causing them to turn to violence and take up arms, by first sending them to fight, and relieving them of other day-to-day commitments, and then continuing to push them in this direction by not giving them a chance to reintegrate back into society and normal life.

After being arrested on their return from conflict zones, or in some cases turning themselves in, a number of these men now executed were severely tortured, and were only brought to trial after years of physical and psychological torture that drove some of them insane. The authorities forced them to confess under duress to activities that we cannot be sure they actually took part in, but whenever a defendant informed the judge that he had been subjected to torture, he would be sent back for interrogation and further torture, rather than the judge ordering an independent inquiry into the torture claims and dismissing the forced confessions, in accordance with the UN Convention against Torture.

Most stages of the trials were held in secret, with lawyers able to attend only a very few sessions. No independent observers or media were allowed to be present, except newspapers loyal to the Saudi authorities. Holding trials in secrecy is liable to pervert the course of justice.

There were, in addition, several people executed who had been tried on political charges relating to their opposition to the Saudi authorities. One such person was the Shia cleric Nimr al-Nimr, who had taken a clear political stance and faced a number of political charges among the allegations brought against him. For others, the main accusation they faced was taking part in a peaceful demonstration.

The trials thus did not meet the standards required of a fair hearing, and contained many legal flaws. The prosecution failed to prove a number of charges, including the claim that Nimr al-Nimr had called for violence and resisted the police by force of arms. No evidence or witnesses were produced to support this claim, yet the courts went ahead and passed death sentences on the accused.

Some of those executed had surrendered themselves to the authorities when it was announced that charges would be dropped against those who turned themselves in voluntarily. The authorities then reneged on their promises and executed them, which was bound to make the situation even worse by deterring anyone involved in or charged with violence from renouncing it, and possibly even encouraging suspects to turn to violence rather than give it up.

The Saudi Anti-Terrorism Law of 2014 classifies all acts of opposition as terrorism, blurring the distinction between violent acts and peaceful civil actions by political or human rights activists, such as forming political parties, staging demonstrations and defending human rights. The Saudi authorities try such civil society activists in the Specialised Criminal Court that was setup to handle terrorism cases, and have tried several of them under the Counter-Terrorism Law. Failing to distinguish between peaceful and violent actions only serves to feed the violence and may even drive angry young men towards it.

Also among those executed were a number of minors and others suffering from mental illness, such as Mustafa Abkar from Chad, who was arrested in 2003 at the age of 13. Mustafa was featured in a Saudi documentary in which he was said to have been duped by a terrorist gang into coming to the place where he was arrested. It came as a complete surprise that he was one of those executed. Another was Abdulaziz al-Tuwaili'i, who was said by eyewitnesses who were in prison with him to have totally lost his sanity years before his death sentence was carried out.

Since then there have been other executions and numerous death sentences passed for a variety of reasons, including death sentences issued on December 6, 2016 on 15 individuals accused by the Authorities of spying for Iran. The verdict against them followed a trial that fell short of the standards for a fair trial. Further death sentences were passed on a number of minors for taking part in protests in the Eastern Province.

Some of these sentences have been confirmed and received Royal Assent for the executions to go ahead, including that of Ali al-Nimr, Dawood al-Marhoun and Abdullah al-Zaher. Meanwhile, the death sentence against the Palestinian poet Ashraf Fayadh was overturned on February 2, 2016 and commuted to eight years in prison and 800 lashes. However, the new sentence has not yet been confirmed, so Fayadh's life is not yet out of danger.



WOMEN'S RIGHTS

Saudi women are inadequately protected by Saudi law against domestic abuse and other gender-based violence. Discriminatory laws relating to marriage and divorce cause many women to be trapped in violent and abusive marriages. The guardianship system for women that prevails in the Kingdom prevents women from fully enjoying their basic human rights. Saudi women are obliged by law to obtain written permission from a male guardian (their father, husband or even son) to work, travel, study, marry or even access health care. In short, adult women are treated as legal minors who are not entitled to any control over their lives, well being and therefore dignity.

Women are frequently denied the legal right to make decisions on behalf of their own children. They are not normally allowed to open bank accounts for their children, enrol them in schools or access their school files without written permission from the father of their children.



Women also face severe constraints when attempting to access the court system. Women in Saudi Arabia are normally unable to file a case against someone without their guardian present. This guardianship system plays a major role in domestic violence cases, as it makes it extremely difficult for survivors of domestic violence to avail themselves of protection through the legal system. Social workers, doctors and lawyers find it impossible to strip male guardians of their right to guardianship even when they are abusive.

Although new laws have come into force in the past few years, they are not properly enforced by the Authorities, and perpetrators are often not punished for abusing the guardianship system.

The Saudi Authorities are failing in their commitment to protect women and girls, as well as failing to guarantee them their rights to education, employment, health and freedom of movement. In doing so, the Authorities are in breach not only of their international obligations but also of elements of Sharia law that support equality and full legal rights for women.

WORKERS' RIGHTS

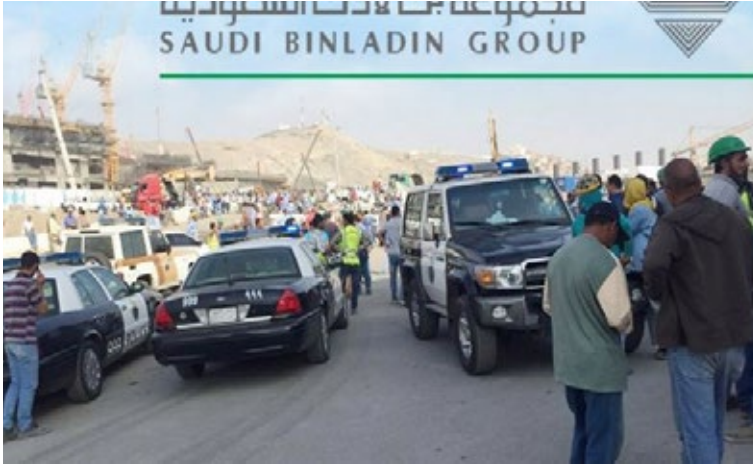
2016 was a grim year for many workers in Saudi Arabia. In the absence of any transparency over government expenditure, the Kingdom went into a period of economic crisis affecting not only Saudi citizens but also foreign workers, many of whom lost their jobs and had their work permits cancelled, as a number of major companies felt the squeeze.

The Indian Authorities stepped in, saying that 7,700 Indian workers had been affected by the crisis, and sent aid, food parcels and planes to repatriate their citizens. Pakistan promised similar measures for its citizens – 8,000 of them, the Pakistani Authorities said – who had suffered from the economic downturn. The Philippines government said 10,000 of its nationals had been affected by the crippling economic situation.



Two giant construction companies, Saudi Oger and the Saudi Bin-ladin Group, laid off a huge number of employees. Saudi Binladin let go up to 40% of its 200,000-strong workforce, many of them engineers, and most of whom had not been paid for months

even before getting the sack. Those who remained in Saudi Oger's workers' accommodation were left without water, electricity, food or wages, triggering widespread protests and mass demonstrations against the maltreatment, injustice and starvation they faced.



Following the demonstrations, the Saudi Authorities arrested a number of the protesting workers. The Saudi press subsequently published news of them being sentenced to prison terms, and some of them to 300 lashes.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by UN General Assembly Resolution 45 of December 18, 1990, Article 2 (1), defines the term «migrant worker» as a person who will engage or is engaged or has been engaged in a remunerated activity in a state of which he or she is not a national.

By this definition, migrant workers in Saudi Arabia make up one-third of the country's inhabitants, estimated to total 31 million people. Of these, 75% come from India, Pakistan, Bangladesh, Egypt and the Philippines. They face multiple problems unlike those faced by workers in other countries, because of the complex and thorny regulations in the Labour Law and private sector regulations.



Despite 38 amendments to the Labour Law issued on October 18, 2015, female domestic workers are still not covered, leaving them vulnerable to abuse and violation of their rights, when they are among the workers most in need of the protection of law. The distinction between foreign workers and citizens remains enshrined in the kafala sponsorship system, and in Saudi Arabia salaries and rights are strongly linked to a worker's nationality. Several embassies have managed to assert certain rights for workers from their countries, unlike some other nationalities, especially with regard to female domestic workers. This goes against Saudi Arabia's international commitments on the rights of migrant workers that come with its membership of the World Trade Organisation.

The kafala system under which migrant workers work in Saudi Arabia ties the worker to an individual resident who is his or her sponsor. This makes the worker vulnerable to exploitation, as the sponsor can change the nature of the employment and sometimes transfer the sponsorship against the wishes of the employer himself. The sponsor can also terminate the employment and expel the worker from the country without notice, while the worker cannot leave Saudi Arabia without an exit visa. For this reason, a number of workers who have absconded from their jobs because of the slavery-like conditions they faced have become unable, having left their original jobs, to leave the country, and so end up working in the black economy at risk of further exploitation.

The lack of any legal mechanism to monitor and enforce the regulations transparently, and the difficulty workers have in getting access to justice, and the absence of any independent organisations to protect them make them even more vulnerable to abuse and unable to utilise the regulations to their advantage.

In addition, there is very often no undertaking on fixed working hours, especially for domestic workers, as a result of which workers find themselves being required to work around the clock, seven days a week, having their wages withheld and their passports confiscated, and being employed to do work outside their job description. Again, the situation varies according to the worker's nationality and the protection he or she is able to get from their country's embassy.

STATELESS PERSONS

(Bidoon), meaning literally (without), is a term used to refer to people of various ethnic and historical backgrounds without a nationality. Two major categories of Bidoon are members of the nomadic tribes that used to migrate from place to place in the Arabian Peninsula according to changing conditions, and the so-called «Mawalid» born to families who came as pilgrims to visit the holy places and stayed on illegally, for whom Saudi Arabia is the only country they have ever known or with which they have any ties.

Whatever the reasons for their statelessness, the Bidoon today suffer in every aspect of their lives. There are no clear or specific arrangements for their education, and while some manage, with great difficulty, to enrol in primary education, others are unable to do so – and university education is out of the question. The law is unclear on the matter, and the government is not making any serious efforts to solve the problem.



Likewise, stateless persons are not entitled to medical treatment, and there have been cases where hospitals have turned them away even in emergencies. In one case a hospital refused to take a heart patient who had a blood clot because he did not have a Saudi ID card or passport.

Most of the time, the Bidoon cannot work or earn any income, yet the government offers them no financial support. It does not allow them to work in the public sector, but neither does it let them register businesses or property, so the only way they can live is by doing menial jobs in the informal economy, or by convoluted means made possible only by the help of charitable benefactors.

In the matter of marriage, too, stateless persons' lack of documentation usually means that their marriages are not officially registered, even if the person they are marrying has citizenship. They frequently encounter difficulties with official bodies such as the Commission for the Promotion of Virtue and the Prevention of Vice or (religious police), whose members have been known to arrest a stateless individual and their spouse, accusing them of unlawful intimacy.

Stateless persons in Saudi Arabia enjoy none of their basic rights and live an extremely hard life, forced by the government into a life of grinding poverty or crime. The numbers of Bidoon are growing, and with no serious or swift solutions on offer the situation is likely to become very much worse. The Saudi Authorities must start to look for genuine solutions, starting with signing up to the UN Convention relating to the Status of Refugees. This would mean accepting those not eligible for citizenship as refugees, with the right to maintenance, medical treatment, education, employment and identity and travel documents, as laid down in the Convention, while granting citizenship to those who do meet the criteria.

This will require an amendment to the Saudi Arabian Citizenship System, which is legally flawed and falls short in terms of human rights. Article 9 requires applicants to supply documents relating to their previous nationality, which the Bidoon do not have, and a sponsor in the case of those holding a stateless person's ID card.

Article 10 contains a loophole whereby they can be denied their right to naturalisation, by stating that (the Minister of Interior has the right, in all cases and without giving reasons, to refuse consent to the granting of Saudi Arabian citizenship to an eligible foreigner).



CONCLUSION

We at ALQST call on the entire international community to condemn the Kingdom of Saudi Arabia for continuing and escalating human rights violations. We appeal for pressure on them to stop what they are doing. We strongly caution against silence or complicity with these violations, because that will open the way for the Kingdom to commit further abuses. We call on the United Nations and its Human Rights Council to take a firm stance toward the Kingdom of Saudi Arabia who, scandalously, hold an advisory seat on that council. The world should be ashamed that the holders of this seat, which should be used to cherish human rights, are committing all these violations, something that is no longer a secret to anyone.

We urge everyone not to be drawn into reacting in an undisciplined or unlawful manner, but we call for these abuses to be resisted and exposed to the world by all peaceful and legitimate means.

We call on the Saudi Authorities to guarantee the independence of the Judiciary from the power of the King and the orders of the Interior Ministry, to regulate the judiciary by law, to ensure that judges are trained and qualified, and to build up an impartial, independent judiciary guided by clear, codified laws, applied fairly and equally to all.

We call for Saudi society to be permitted to participate and build the institutions of civil society, impartial and independent media, and institutions to monitor the Kingdoms performance, safe from punishment by the Ministry of Interior.

We call for adherence to international laws and agreements, a complete end to torture and other forms of degrading treatment, prompt investigation of all allegations of torture, and the annulment of all sentences not based on fair trials.

We call for the repeal of the Anti-Terrorism Law, which incites violence and feeds terrorism rather than combating it; for the abolition of the Specialised Criminal Court and the transfer of cases of violence to regular courts once these have been strengthened in legal terms and given real independence of the authorities; and for the dropping of all charges against opposition figures and political and human rights activists.

We call for steps to be taken towards genuine reform, beginning with the judiciary, and for the public to be allowed to participate and play a monitoring role. Let all sectors of society live in peaceful coexistence, with an end to divisions and sectarian provocations, and reparations for the victims of the mistaken policies of the past; and let the security of the country and its citizens take priority, instead of the interests of the ruling family and the creation of further tension and crises.

In calling for these things, ALQST holds the Saudi Authorities and all those who collude with them responsible for any deterioration of the situation in the Kingdom of Saudi Arabia as a result of these behaviours that neither preserve peace nor allow Saudi society to enjoy its legitimate rights.

ALQST, is an independent non-governmental organisation that advocates for human rights. We monitor and document human rights violations that occur in Kingdom of Saudi Arabia at the hands of authority figures.

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