

SAUDI ARABIA

KINGDOM OF SAUDI ARABIA

Head of state and government: King Fahd Bin 'Abdul'Aziz Al-Saud

Capital: Riyadh

Population: 19 million

Official language: Arabic

Death penalty: retentionist

Grave and widespread human rights violations continued to be reported. They were perpetuated by the strictly secretive criminal justice system and the government policy of barring political parties, trade unions and independent human rights organizations; international non-governmental human rights organizations were not allowed access to the country. The government failed to respond to any of the concerns raised by AI during the year. Hundreds of teenagers were flogged. Women continued to face severe discrimination. Arrests of suspected political and religious activists continued and the legal status of those held from previous years remained shrouded in secrecy. New information came to light on the torture of detainees in previous years. At least 79 people were executed. Over 5,000 Iraqi refugees continued to live in Rafha camp as virtual prisoners, denied the right to seek asylum in Saudi Arabia.

Background

While the human rights situation remained grave, there were two major developments which had the potential for a positive impact: the government announced new legislation and its human rights record was subjected to unprecedented public scrutiny by UN mechanisms.

In October the government announced that it had introduced, for the first time, a code of criminal procedure and a law regulating the legal profession. The two laws had not been made public by the end of the year and it was therefore not possible to assess their impact on human rights. For example, it was not known whether the new legislation would introduce legal safeguards against arbitrary arrest, lengthy incommunicado detention and secret trial proceedings or guarantee defendants the right to legal assistance throughout the judicial process and the right to effective appeal. However, Saudi Arabian lawyers and the media welcomed both measures as positive steps towards the recognition of the need for clear safeguards to protect the rights of defendants, and of the valuable role of lawyers.

The country's human rights record was subjected to unprecedented public scrutiny by the Committee on the Rights of the Child and the Commission on Human Rights. Both UN mechanisms expressed strong concern about the human rights situation in the country and called for redress. For

example, the Committee on the Rights of the Child concluded that: "[I]n]oting the universal values of equality and tolerance inherent in Islam, the Committee observes that narrow interpretation of Islamic texts by State authorities are impeding the enjoyment of many rights protected under the Convention".

The government also submitted its initial report on the implementation of the UN Convention against Torture and was scheduled to appear before the Committee against Torture in November. However, the government withdrew at short notice and, as a result, its hearing before the Committee was postponed to a later date. AI drew the Committee's attention to Saudi Arabia's failure in its initial report to provide adequate information on torture, which remained rife in the country.

Women

Media coverage of women's issues, which began in 2000, continued into 2001, but no concrete steps were taken by the government to tackle the issue of discrimination in law and in practice. In December, the government announced that it had issued some women with identity cards. However, in April, when asked about a study into the issue of allowing women to drive and providing them with identity cards, the Minister of the Interior had reportedly replied: "It is not possible, and there are no studies on the subject at all... As I have said before, everything comes in its own time..." Similarly, when he was asked about women's representation in the *Majlis al-Shura* (Consultative Council) he reportedly dismissed this by stating: "Why make women a political issue... women are not a political issue, but a social subject..." Membership of the Consultative Council was increased during 2001 from 90 to 120, all men appointed by the King.

Major Martha McSally, a female fighter pilot in the US Air Force, challenged the dress code imposed by the US Air Force on female military personnel stationed in Saudi Arabia when off duty, on the grounds that it was discriminatory.

Torture and ill-treatment

Flogging of children

In January the Committee on the Rights of the Child recommended that Saudi Arabia "take all necessary steps to end the imposition of corporal punishment including flogging and all forms of cruel, inhuman and degrading punishment to persons who may have committed crimes while under 18..."

The response of the governorates (regional authorities) across the country was to wage campaigns of extrajudicial and summary floggings, targeting teenagers suspected of harassing women and other behaviour deemed immoral. Such behaviour included talking to women, whistling at them, trying to pass telephone numbers to them, and wearing transparent or women's-style clothes. By the end of the year, hundreds of teenagers had been flogged, most of them in public places where the alleged offences had taken place. Their cases were widely publicized in the media.

☛ Three youths were given 15 lashes each in the al-Rashid Shopping Mall in al-Khobar in the Eastern Province, where

they had allegedly committed the offences. The flogging was described in the press as follows: "Officials announced the punishment several times over the mall's loudspeaker system, delaying its implementation to give shoppers time to gather... The flogging caused such a scene that shopping at the... mall... came to a standstill as the three were punished."

The campaign was spearheaded by the religious police, the Committee for the Propagation of Virtue and Prevention of Vice (CPVPV). In some regions the CPVPV was assisted by a committee composed of representatives from the office of the respective governorate, police, and the Prosecution and Investigation Department. In a press statement to the *al-Jazirah* newspaper, the Deputy Head of the CPVPV explained in response to questions about the legality of the campaign that: "...the case of harassment is not referred to the judiciary because it is considered expeditious matter for which the statute of the CPVPV prescribes 15 lashes. This is one of the prerogatives given to the CPVPV after agreement by the governorate..."

Torture in detention

As a result of the systematic practice of *incommunicado* detention, no detailed accounts of torture during 2001 were received. All those arrested during the year were subjected to *incommunicado* detention and when they were allowed access to families, or consular representatives in the case of foreign workers, this took place under strict supervision by prison officers and strict orders not to talk about detainees' treatment or the case concerning them. However, new information came to light on torture in previous years, and the press reported cases of domestic violence.

☞ Kalesh, an Indian national who was accused of theft and held in *incommunicado* detention, stated following his release in December 2000: "There were three people in civilian dress... They had a big stick with ropes at each end... I was asked to sit on the floor... At this time I am handcuffed and chained in my legs. The stick with the ropes was inserted through the folding of my knees... and the ropes were tied to my handcuffed hands. I became like a football... I was sitting/lying on the floor and these three devils... started kicking and beating me brutally with the rod... There are still marks... of that day on my body..."

Domestic violence

Severe discrimination against women continued to put women at increased risk of domestic violence. Foreign domestic workers were particularly vulnerable to such abuses. In March, an official from the Ministry of Labour was reported in the press as having revealed that around 19,000 foreign maids had run away from their employers. One of the main reasons cited was domestic violence against them.

In January, the Committee on the Rights of the Child expressed concern about domestic violence and the harm it inflicts on children. It recommended that Saudi Arabia "establishes hotlines and shelters staffed by women, for the protection of women and children at risk of or fleeing abuse". However, cases of domestic violence continued to be reported in the Saudi Arabian media.

☞ In May a journalist writing in the newspaper *Okaz* revealed that the neighbour of a 16-year-old girl who was locked up in the toilet by her father and stepmother for six months had informed the police of the girl's plight and constant crying, but the police did nothing.

Judicial corporal punishment

In addition to its use as extrajudicial punishment against children, flogging remained widely practised as a judicial corporal punishment handed down by judges as a main or additional punishment after unfair trials.

☞ A military officer was given 20 lashes in March after a court of expedient matters found him guilty of using a mobile phone while in flight with the Saudi Arabian Airlines.

☞ Muhammad al-Dawsari, Sa'id al-Subay'i and Muhammad al-Hadithi were sentenced in June to 1,500 lashes each, in addition to 15 years' imprisonment. All were convicted in connection with drugs charges. Four others tried with them in the same case were sentenced to death and executed. The floggings were scheduled to be carried out at a rate of 50 lashes every six months for the whole duration of the 15 years.

Prisoners of conscience and political prisoners

Arrests of suspected political and religious activists continued during 2001. Those arrested during the year were mainly members of the Shi'a and Christian communities, most of whom were released without trial after weeks or months of detention. In addition, there were unconfirmed reports that hundreds of people were rounded up in the wake of the 11 September attacks in the USA, but no details were available. It was not known how many remained in detention at the end of the year.

☞ Sheikh Muhammad al-Amri, a Shi'a religious scholar aged about 90, was arrested on 9 March and held for about two weeks before being released without charge. He was reportedly detained because he was visited by some Iranian Shi'a Muslims on pilgrimage (*Hajj*) in Saudi Arabia.

☞ Kamil Abbas al-Ahmad, aged 30, was arrested on 13 September at his home in Safwa and was detained at Safwa police station. The government did not provide any information as to the reason for his arrest, but it may have been related to his political activities. He had previously been detained on such grounds from July 1996 until June 1999, during which time he was allegedly tortured. He remained in detention at the end of the year.

The legal status and conditions of detention of those held from previous years remained shrouded in secrecy.

☞ Sheikh Ali bin Ali al-Ghanim, who had been in detention since August 2000, was reportedly sentenced to five years' imprisonment and 500 lashes after a secret trial in prison. He was also reported to have been subjected to torture which allegedly included beating all over the body and sleep deprivation.

Death penalty

At least 79 people were executed. All were sentenced to death after unfair trials. They were convicted on charges which

included murder, rape, or drug trafficking. The government continued to keep secret information on people under sentence of death and at risk of execution. The 79 included 23 foreign nationals, including seven Indian nationals and four Pakistani nationals. They also included two Saudi Arabian women, Badria al-Azizi and her mother, who were executed in connection with the murder of the father.

Refugees

Over 5,000 Iraqi refugees spent their 10th successive year as virtual prisoners in the Rafha military camp in the northern desert near the border with Iraq. The government continued to refuse them the opportunity to seek asylum in Saudi Arabia. They were among some 33,000 refugees originally housed in the camp. About 25,000 were resettled by the UN High Commissioner for Refugees (UNHCR) in Europe, North America, and Australia. The 5,000 remaining in Saudi Arabia continued to live in the camp under military guard with no right of movement beyond the perimeter fences.

AI country reports/ visits

Report

- Saudi Arabia: Defying world trends – Saudi Arabia's extensive use of capital punishment (AI Index: MDE 23/015/2001)

Visits

AI renewed its request to send a delegation to Saudi Arabia following a statement to the press in December by the Director General of Prisons announcing that the government had invited AI to visit the country. However, by the end of the year, AI had not received a response to this request or other communications.