

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

2000 treaty ratifications/signatures: UN Women's Convention

Serious human rights violations continued. Women continued to face severe discrimination, and suspected political or religious activists continued to suffer arbitrary arrest and detention or punishment under secretive criminal judicial procedures which deny the most basic rights, such as the right to be defended by a lawyer. At least 123 people were executed and there was an alarming increase in the number of amputations. One person reportedly had his eye surgically removed as judicial punishment. Torture and ill-treatment continued to be reported. The government continued to enforce a ban on political parties and trade unions and to impose restrictions on access to the country by non-governmental human rights organizations.

Background

In an unprecedented move, the government publicly stated its belief in the universality and indivisibility of human rights and announced measures to promote and protect such rights. During the March/April 2000 session of the UN Commission on Human Rights, Saudi Arabia's Deputy Foreign Minister stated that "human rights are a non-negotiable objective for the achievement of which we must all strive together", and that Saudi Arabia was committed to "the protection and promotion of human rights through carefully studied measures within the context of a comprehensive human rights strategy". He informed the Commission of steps already taken or planned by the government to carry forward this strategy, including an invitation to the UN Special Rapporteur on the independence of judges and lawyers to visit the country. The steps also included plans to introduce a new regulation to govern the legal profession and legal counsel, and the creation of mainly governmental structures for the protection of human rights. The establishment of a committee to investigate allegations of torture and other abuses was also announced, in response to the government's obligations under the UN Convention against Torture.

During 2000, the government embarked on a number of legislative initiatives related to human rights. In May, the Minister of Justice announced that statutes had been drafted to form a new professional code of practice for the legal

profession. A law on criminal trial procedures was reported to have been proceeding through the legislative process. The Consultative Council was also reported to have begun studying proposals for a comprehensive labour law for women.

In September, Saudi Arabia acceded to the UN Women's Convention, but entered the following reservation: "In the case of contradiction between any form of the Convention and the norms of Islamic law, the Kingdom is not under obligation to observe the contradictory terms of the Convention". The government also entered a reservation so that it would not be bound by provisions on the equal rights of men and women to pass their nationality on to their children.

In July Saudi Arabia appointed a woman to the government post of assistant under-secretary at the Presidency For Girls' Education.

In May Saudi Arabia was one of a number of states voted onto the UN Commission on Human Rights.

Emerging human rights debate

On 31 March, the government issued a response through the news media to AI's report *Saudi Arabia: A secret state of suffering*. The government denied the patterns of human rights violations documented by the organization. Without referring to any individual cases or specific events covered by the report, the response claimed that arbitrary arrest and torture were not allowed in Saudi Arabia and that the courts guaranteed fair trial. It denied that any political prisoners were held and pointed out that Saudi Arabia played an active role in the field of human rights. This statement started a debate on human rights led by Saudi Arabia's national and international press. Government officials were also prompted to make statements on human rights, including the Minister of Interior who reportedly said: "We tell those who level accusations against the Kingdom to present their proof. And we welcome anybody who wants to know the facts as we don't have anything to hide...". The debate was continuing at the end of 2000.

Women's rights

AI welcomed Saudi Arabia's accession to the UN Women's Convention and other developments related to women's rights, but remained concerned at continuing severe forms of discrimination and human rights abuses against women. Discrimination against women included limitations on freedom of movement, allowing for effective imprisonment within the home, and preventing recourse to protection or redress from human rights abuses. Equal educational and vocational opportunities continued to be denied to girls and women. Women were also subjected to human rights violations, including arbitrary arrest and detention, torture and the death penalty. Women abused by private individuals such as husbands or employers continued to be denied access to adequate protection or redress by the government. Female domestic workers remained at particular risk of human rights abuses, including physical abuse, as a result of severe

restrictions on their liberty, freedom of movement and association.

Prisoners of conscience and political prisoners

There were continuing arrests on political or religious grounds. People arrested in previous years remained in detention, some of whom were held without charge or trial.

Hundreds of members of the Shi'a Ismaili community of Najran province, including possible prisoners of conscience, were arrested following demonstrations and clashes in April in protest against the forcible closure of their mosque by security forces. Many of those arrested were apparently held incommunicado and their whereabouts were unknown. At least two were reported to have been sentenced to prison terms and lashes (see below). Some were reported to have been killed during the clashes and demonstrations, in circumstances which suggested that they may have been the victims of extrajudicial execution or excessive use of force by the security forces. At least one security officer was reported to have been killed and others were injured.

A number of Christians were also reported to have been arrested during 2000 for the non-violent expression of their religious beliefs. Those known to AI had all been released by the end of the year without charge or trial.

☞ In January, 15 Filipino nationals, including three women and five children, were reported to have been arrested while participating in a Christian service at a private home in Riyadh. All were released without charge after several weeks' incommunicado detention in Malaz prison.

☞ In August, Sheikh 'Ali bin 'Ali al-Ghanim was arrested at the border between Saudi Arabia and Jordan upon his return from a holiday in Syria. The reasons for his arrest may have been related to his Shi'a religious beliefs or political activities. Before his arrest he was reportedly summoned to the headquarters of *al-Mabahith al-'Amma* (General Investigations) and asked to write a detailed report about himself, including the countries he had visited and his associates. He remained held in the *al-Mabahith al-'Amma* prison in Dammam at the end of 2000.

☞ Dr Sa'id bin Zua'ir, head of the Department of Information at Imam Mohamed bin Sa'ud Islamic University, remained in prison throughout 2000. He had been arrested in early 1995 by members of *al-Mabahith al-'Amma*, and remained held without charge or trial in al-Ha'ir prison, having reportedly refused to sign an undertaking to cease political activities in exchange for his release.

☞ Hani al-Sayegh, who was forcibly returned to Saudi Arabia from the USA in 1999 after seeking asylum there, remained held in virtual incommunicado detention in connection with the bombing of a US military complex at al-Khobar in 1996, an offence punishable by death. At the end of 2000 he was held reportedly in al-Ha'ir prison without access to lawyers and with only limited contact with his family. He remained at risk of torture and of being sentenced to death after secret proceedings.

Release

Muhammed al-Faraj, a lecturer arrested in 1999 reportedly on account of a poem he had written, was released in January.

Torture/ill-treatment

AI received fewer allegations of torture than in previous years, but the lack of judicial supervision of arrest and detention continued to facilitate torture and ill-treatment. There were no indications that investigations had been carried out into reports of torture in previous years, including reports of deaths in custody as a result of torture. Political prisoners, including possible prisoners of conscience, held in incommunicado detention remained at risk of torture. Confessions obtained under torture or duress could still be used as the sole evidence for conviction.

☞ George Joseph, an Indian national, was reportedly arrested outside his home in May as he returned from a Catholic service with a religious cassette tape. He was held in incommunicado detention for several months and reportedly beaten before being released without charge and deported back to India.

In August, prisoners in the city of al-Jawf were reported to have protested over their conditions of detention, including poor food. Several people were reported to have been injured during the incident. No details were available to allow assessment of any human rights violations that may have taken place.

Judicial corporal punishments

There were 34 reported cases of amputations during 2000, seven of which were cross amputations (of the right hand and left foot). Flogging continued to be frequently imposed for a wide range of offences.

☞ In August, 'Abdel Mo'ti 'Abdel Rahman Mohammad, an Egyptian national, was reported to have had his left eye surgically removed as punishment ordered by a court in Medina after he had been found guilty of throwing acid in the face of a compatriot and damaging his left eye.

☞ Two teachers, arrested following demonstrations in Najran, were reported to have been sentenced to 1,500 lashes each to be carried out in front of their families, students and other teachers.

Death penalty

In an increase over the previous year, at least 123 people were executed, all after trials about which very little was known. Among those executed were three women. The majority of those executed – 71 – were foreign nationals, from India, Pakistan, Nigeria, Philippines, Yemen, Sudan, Eritrea, Ethiopia, Iraq, Egypt, Bangladesh, Syria, Afghanistan, Indonesia and Thailand. Some were sentenced to death for crimes without lethal consequences such as highway robbery, sodomy, drug smuggling and sorcery.

☞ The body of one of those executed in May, Muhammad Mustafa Kamal 'Abd al-Qadir Jadi, an Egyptian national, was reported to have been crucified following his execution in Jizan on charges of murder.

The number of people under sentence of death was unknown as the government does not divulge such information. However, among those at risk of the death penalty was Sit Zainab binti Duhri Rupa, a 32-year-old Indonesian domestic worker, detained on charges of murdering her employer. She was reported to be psychologically ill and to have "confessed" to the crime during police interrogation.

AI action

Five country reports were issued by AI during the year as part of a campaign against human rights violations in Saudi Arabia, under the slogan "End Secrecy, End Suffering". Each report detailed different patterns of human rights violations together with recommendations to the Saudi Arabian authorities designed to redress such violations.

Lack of government cooperation

During 2000, AI welcomed the commitments to human rights made by the government and requested further details as to the time-frame and terms of reference of the establishment of planned human rights bodies, but received no further information.

AI continued to send communications to government officials regarding issues or individual cases of concern, all of which remained unanswered. AI sought clarification of the reported killings in Najran, together with assurances that those detained in connection with the incidents would be protected against torture and execution, but received no response. AI also repeatedly requested permission to visit the country, but the government continued to deny access.

Intergovernmental organizations

AI submitted updated information on Saudi Arabia for review by the UN Commission on Human Rights under a procedure established by UN Economic and Social Council Resolutions 728F/1503 for confidential consideration of communications about human rights violations. In March, AI made an oral statement to the Commission's 56th session, concentrating on unfair trials, torture in custody, corporal punishment and amputations.

AI country reports

- Saudi Arabia: A secret state of suffering (AI Index: MDE 23/001/2000)
- Saudi Arabia: A justice system without justice (AI Index: MDE 23/002/2000)
- Saudi Arabia: Encouraging human rights debate (AI Index: MDE 23/034/2000)
- Saudi Arabia: Execution of Nigerian men and women (AI Index: MDE 23/049/2000)
- Saudi Arabia: Gross human rights abuses against women (AI Index: MDE 23/057/2000).