

## **2008 Annual Report of the U.S. Commission on International Religious Freedom**

### **Countries of Particular Concern: Saudi Arabia**

Since its inception, the U.S. Commission on International Religious Freedom has raised serious concerns about religious freedom conditions in Saudi Arabia and recommended that the country be designated by the Secretary of State as a “country of particular concern,” or CPC, for engaging in systematic, ongoing, and egregious violations of the right to freedom of religion or belief. The Commission was instrumental in securing Saudi Arabia’s official CPC designation in September 2004.

In July 2006, as a consequence of CPC designation, the State Department announced that ongoing bilateral discussions with Saudi Arabia had enabled the U.S. government to identify and confirm a number of policies that the Saudi government “is pursuing and will continue to pursue for the purpose of promoting greater freedom for religious practice and increased tolerance for religious groups.”<sup>1</sup>

Nearly one year after the State Department announcement, the Commission traveled to Saudi Arabia in late May and early June 2007 to discuss religious freedom concerns and examine policy measures to ensure progress by the Saudi government in implementing several of its stated policies related to religious practice and tolerance. Such stated policies include: 1) halting the dissemination of intolerant literature and extremist ideology within Saudi Arabia and abroad; 2) reviewing and revising educational materials and textbooks; 3) protecting the subsidiary rights to private worship and to possess personal religious materials; 4) curbing harassment and repression of religious practitioners; and 5) empowering officially sanctioned human rights institutions. In addition, the Commission discussed the status of religious pluralism in the Kingdom, including freedom of religion or belief with respect to followers of different schools of thought within Sunni and Shi’a Islam, as well as for non-Muslims.

Although the Commission was extended various courtesies and assistance by the Saudi government in connection with the visit, the government refused Commission requests for meetings with officials at key agencies such as the Commission to Promote Virtue and Prevent Vice (CPVPV) and the Ministries of Education and Justice. The Commission also requested, but was not granted, meetings with members of the Consultative Council (Shura) and representatives of the King Abdul Aziz National Center for Dialogue, which inhibited the delegation from hearing various governmental points of view on a full range of issues. After the visit, then Commission Chair Felice D. Gaer wrote in late June 2007 to the Saudi Ambassador in Washington, DC and to the Chair of the Saudi Human Rights Commission, requesting textbooks from the current Saudi government curriculum, further information, and responses to outstanding questions. As of this writing, the Commission has not received a reply from the Saudi Ambassador. A July 2007 letter to the Commission from the Saudi Human Rights Commission stated that textbooks currently are being reviewed and copies would be sent to the Commission upon completion, although no completion date was given.

### **U.S. Policy**

Until the State Department's CPC designation in 2004, many observers of the U.S.-Saudi relationship had been critical of the unwillingness of successive U. S. administrations to raise religious freedom and other human rights concerns as part of the bilateral agenda. The Commission had urged CPC designation for several years prior to the designation. In 2004, the National Commission on Terrorist Attacks Upon the United States (9/11 Commission) concluded that Saudi Arabia was a "problematic ally in combating Islamic extremism," and called on the United States to "confront problems with Saudi Arabia in the open and build a relationship beyond oil, a relationship that both sides can defend to their citizens and includes a shared commitment to reform." Notwithstanding CPC designation, many observers contend that, even now, the United States does not want to jeopardize important bilateral security and economic ties by pushing for political and human rights reforms. Indeed, it is the conclusion of this Commission that CPC designation and subsequent U.S.-Saudi bilateral discussions have not resulted in substantial reforms by the Saudi government concerning religious freedom.

In September 2005, Secretary Condoleezza Rice approved a temporary 180-day waiver of further action to allow for continued diplomatic discussions between the U.S. and Saudi governments and "to further the purposes of the International Religious Freedom Act (IRFA)." The July 2006 announcement by the State Department included a renewal of the waiver by Secretary of State Rice. Other than the waiver, no action under IRFA has been taken by the U.S. government as a consequence of CPC designation.<sup>2</sup>

In August 2007, Congress passed legislation (H.R. 1, "Implementing Recommendations of the 9/11 Commission Act of 2007") that requires the President to report to it within 180 days on progress made by the Saudi government since 2001 "to facilitate political, economic, and social reforms, including greater religious freedom." As discussed in the recommendations below, this assessment should include progress by the Saudi government on implementation of the July 2006 confirmation of policies.

The Commission urges the U.S. government to address more actively and publicly religious freedom and other human rights issues with the Saudi Arabian government and report openly on the success or failure to implement genuine reforms in these areas in order to ensure that initiatives by the Saudi government will result in substantial, demonstrable progress. Specific recommendations are presented at the end of this chapter.

## **Findings**

The Commission's findings from its visit and other information received during the past year are outlined below, followed by a detailed discussion of those findings and recommendations for U.S. policy. It should be reiterated that the Commission did not meet with a fully representational set of interlocutors during its visit. The majority of persons with whom the Commission met, both in and outside the government, stated their view that King Abdullah is making some efforts to bring much needed human rights reforms to the Kingdom. Most agreed that the pace of reform has been slow, and that obstacles—including but not limited to corruption and resistance within the Royal family and religious establishment from elements that oppose change—have hindered progress. The Commission visit confirmed that the Saudi government

persists in severely restricting all forms of public religious expression other than the government's interpretation and enforcement of Sunni Islam.

### *General Findings: Lack of Progress on Reform Efforts*

- Despite Saudi government pledges to institute reforms, particularly those confirmed in the July 2006 list issued by Ambassador-at-Large for International Religious Freedom John V. Hanford III, the Commission concludes that many of these promises remain just that—promises—that have not yet been reflected in the promulgation and implementation of tangible protections for human rights. Although the Saudi government has permitted some nascent steps toward the development of civil society, policies that would advance reforms have not yet been realized.
- The Commission continues to conclude that if the Saudi government were to implement fully the July 2006 policies it has previously identified and confirmed to the U.S. government for the purpose of improving conditions for religious practice and tolerance, it would begin to diminish some of its institutionalized abusive practices that have resulted in severe violations of freedom of thought, conscience, and religion or belief in Saudi Arabia and worldwide. However, the Saudi government has not been transparent with regard to evidence of progress on these policies. Nor has it established adequate measures to implement universal human rights standards and to provide enforceable remedies to the alleged victims. The Commission concludes that, as a result, little progress has been made with regard to implementation of the policies in practice.
- Some institutional response by the Saudi government to external and internal pressures to address the country's poor overall human rights situation has resulted in the establishment of two officially tolerated human rights institutions and more public discussion in the media about some human rights issues, including through a series of National Dialogue meetings. However, there continues to be substantial resistance to change from various sectors within the Saudi government, and numerous other impediments remain. In addition, many of the recommendations that have come out of the relevant National Dialogue meetings—on the rights of women, religious extremism, and educational reform—have not been implemented.
- Despite some increase in public space to discuss human rights issues, pervasive restrictions remain on civil society and political activists, including representatives of minority religious groups, particularly regarding freedom of speech, assembly, and association. The Commission to Promote Virtue and Prevent Vice (CPVPV), also known as the religious police or *mutawaa*, exercises largely unchecked power to curtail rights, and the courts do not offer due process protecting the individual or effective remedies for violations of those rights.

### *State Enforcement of Religious Conformity*

- Saudi Arabia has a diverse population, both regionally and religiously, despite decades of Saudi government enforcement of religious conformity. Permitting the public practice of

only one interpretation of Islam and requiring public behavior to comply with this interpretation violates universal human rights standards and has resulted in discrimination and human rights violations against members of indigenous Muslim communities who follow other schools of thought, such as Shi'a Muslims, Ismailis, and non-conforming Sunnis, as well as both Muslim and non-Muslim expatriate workers.

- The Saudi government's harsh enforcement of its interpretation of Islam, together with other violations of freedom of religion, adversely affect the human rights of women in Saudi Arabia, including with regard to freedom of speech, movement, association, and religion, freedom from coercion, access to education, and full equality before the law. The Commission noted some increase in public space to discuss human rights practices affecting women. Unfortunately, the Saudi government has continued discriminatory measures aimed at the destruction, rather than realization, of many of the human rights guaranteed to women.
- There is a general attitude and policy of the government of curtailing universal rights for non-Saudi visitors to the country and inhibiting the enjoyment of human rights on an equal basis for expatriate workers, particularly for the two – three million non-Muslim workers, including Christians, Hindus, Buddhists, and others, who have come to Saudi Arabia for temporary employment. Provisions often included in labor contracts require expatriate workers to conform to Saudi religious customs and traditions, in the process forcing them to waive their inalienable human rights and submitting them to the limits of, and rights abuses by, Saudi employers.

#### *Exportation of Extremist Ideology and Intolerance in Education Materials in Saudi Arabia and Around the World*

- The Saudi government has undertaken some security measures to combat extremism inside the country, such as a “re-education” program for convicted “extremists” and the retraining or dismissal of imams known to espouse extremist views. However, these efforts appear to be designed to address security concerns rather than to implement reforms to protect human rights, including religious freedom.
- The Commission received mixed and contradictory messages about which government entity in fact has responsibility over materials that are sent abroad. Due to insufficient information provided by the Saudi government, the Commission could not verify that a formal mechanism exists within the Saudi government to review thoroughly and revise educational texts and other materials sent outside of Saudi Arabia. It appears that the Saudi government has made little or no progress on efforts to halt the exportation of extremist ideology outside the Kingdom.
- There is very little transparency in the process of textbook revision, curriculum reform, and teacher training efforts. Moreover, there is evidence that intolerant and inflammatory elements remain in textbooks. Despite numerous requests to obtain copies of textbooks during and after the Commission's visit, Saudi government officials did not provide a single textbook to the Commission. Furthermore, Saudi government officials did not

provide requested information on 1) how many teachers and principals have been retrained; 2) how many teachers have been held accountable for deviating from the approved curriculum; or 3) whether or how teachers' manuals have been revised to include the promotion of religious tolerance.

### *Official Harassment of Private Religious Practice*

- Incidents of harassment, detention, abuse, and interference by members of the Commission to Promote Virtue and Prevent Vice (CPVPV) during non-Muslim private worship services have decreased over the past year. However, other than at a few tolerated compounds where private worship takes place, expatriate workers go to great lengths to worship in private for fear of government interference, which can occur if the worship service is too loud, has too many people in attendance, or occurs too often in the same place. Furthermore, Saudi officials do not accept that for members of some religious groups, the practice of religion requires more than the individual or a small group worshipping in private, but includes the need for religious leaders to be able to conduct services in community with others. Foreign religious leaders continue to be prohibited from seeking and obtaining visas to enter Saudi Arabia and minister to local religious communities. Despite repeated requests for details on the parameters surrounding private worship, guidelines as to what constitutes "private" worship were not specified by Saudi officials.
- In addition to the abuses, the CPVPV regularly oversteps its authority with impunity and is not subject to judicial review. Despite the fact that the CPVPV is not allowed to engage in surveillance, detain individuals for more than 24 hours, arrest individuals without police accompaniment, or carry out any kind of punishment, members have been accused of killing, beating, whipping, detaining, and otherwise harassing individuals. Some Saudis would like to see the entity dissolved altogether, while others would like to see greater accountability of its employees and volunteers, including prosecution for abuses. During the past year, CPVPV abuses were the subject of numerous articles in the Arabic and English press, garnering unprecedented attention in the public and international media. There have been a greater number of investigations of abuses, yet in the recent cases that have been prosecuted, CPVPV members have not been held accountable and complainants report summary dismissals without due process for them to obtain redress.

### *Empowerment of Officially Recognized Human Rights Institutions*

- The government's Human Rights Commission (HRC) can advance human rights protections if it examines all internationally recognized human rights issues and its recommendations to the Saudi government are implemented in practice. The HRC would be more representative were it to include women members; it should also include freedom of thought, conscience, and religion or belief in its initial training on international human rights. The Commission welcomes the HRC's commitment to take up the issue of societal discrimination against Muslims who dissent from or who follow different schools of thought within Islam.

- The non-governmental National Society for Human Rights can play a more constructive role in protecting human rights by continuing to maintain its independence from the government and ensuring that its reporting and recommendations are in conformity with universal human rights standards.

### **State Enforcement of Religious Conformity**

The Commission visit confirmed that the Saudi government persists in severely restricting all forms of public religious expression other than the government's interpretation and enforcement of its version of Sunni Islam. This policy violates the rights of the large communities of Muslims from a variety of schools of Islam who reside in Saudi Arabia, including large populations of Sunnis who follow other schools of thought, Shi'a Muslims, and Ismailis, among others.<sup>3</sup> The government tightly controls even the restricted religious activity it does permit—through limits on the building of mosques, the appointment of imams, the regulation of sermons and public celebrations, and the content of religious education in public schools—and suppresses the religious views of Saudi and non-Saudi Muslims who do not conform to official positions. For example, only imams following a single school of Islam are permitted in the holy cities of Mecca and Medina, centers of Islamic thought traditionally reflective of Islam's great diversity because of the influx of pilgrims from all over the world.

Saudi Arabia has a very diverse population, both regionally and religiously, despite decades of Saudi government enforcement of religious conformity. Permitting the public practice of only one interpretation of Islam and requiring public behavior to comply with this interpretation violates universal human rights norms and has resulted in discrimination and human rights violations against members of indigenous Muslim communities who follow other schools of thought, such as Shi'a Muslims, Ismailis, and non-conforming Sunnis, as well as both Muslim and non-Muslim expatriate workers. The Saudi government attitude toward expatriate workers, particularly non-Muslim workers, is that they have come to Saudi Arabia only to work. As a result, provisions are often included in labor contracts requiring expatriate workers to conform to Saudi religious customs and traditions, forcing them to waive their inalienable human rights and submitting the workers to the limits of, and rights abuses by, Saudi employers.<sup>4</sup>

### *The Rights of Women*

The government's monopoly on the interpretation of Islam and other violations of freedom of religion adversely affect the human rights of women in Saudi Arabia, including freedom of speech, movement, association, and religion, freedom from coercion, access to education, and full equality before the law. For example, when appearing in public women must adhere to a strict dress code and can be admitted to a hospital for medical treatment only with the consent of a male relative. Women require written permission from a male relative to travel inside or outside the country and are not permitted to drive motor vehicles. In addition, the Saudi justice system, in which courts apply Islamic law to the cases before them, does not grant a woman legal status equal to that of a man. Testimony by a woman is equivalent to one-half the testimony of a man; daughters receive half the inheritance that their brothers receive; and women have to demonstrate legally specified grounds for divorce, while men may divorce without

giving cause. In one of the most egregious cases in recent years, in November 2007, a woman, known in the media as the “Qatif Girl,” was convicted and sentenced to 200 lashes and six months in prison because, immediately before she was gang raped by seven men in 2006, she was found alone in a car with a man who was not her relative, which is illegal in Saudi Arabia. She escaped the sentence only because King Abdullah pardoned her in December, though he also said he believed the punishment for the alleged crime was appropriate.

In February 2008, the UN Special Rapporteur on Violence Against Women, Yakin Ertürk, undertook a formal visit to Saudi Arabia and offered several preliminary observations and recommendations. Among them, the Rapporteur found that while there has been a “demystification of the taboo around violence against women” in recent years, there still existed “practices surrounding divorce and child custody, the absence of a law criminalizing violence against women and inconsistencies in the application of laws and procedures” that “continue to prevent many women from escaping abusive environments.” Furthermore, the Rapporteur found that members of the CPVPV were “responsible for serious human rights abuses in harassing, threatening and arresting women who ‘deviate from accepted norms’.” The Rapporteur also highlighted the situation facing female migrant domestic workers of all faiths and backgrounds who continue to face serious human rights abuses and various forms of violence. Among other recommendations, the Rapporteur urged the Saudi government to develop “a legal framework based on international human rights standards,” which would include a law criminalizing violence against women and a family law on marriage and divorce.

### *Shi’a Muslims*

During its visit, the Commission met with numerous representatives of minority Muslim communities. The Commission found that Shi’a Muslims and members of indigenous Muslim communities who follow other schools of thought are subject to government restrictions on public religious practices and official discrimination in numerous areas, particularly in government employment and education. Nevertheless, Saudi officials claimed that the government does not discriminate on the basis of different schools of thought within Islam. One high-level official pointed to the fact that the Shi’a community has its own judges on personal matters and claimed that the community funds its own mosques because they have refused government assistance. However, Shi’a interlocutors said that the community does not register its mosques because of the fear of Ministry of Interior interference in activities that are already severely restricted. According to some Shi’a interlocutors, there are no Shi’a ministers in the government and very few Shi’a leaders in large corporations or in high-level government positions, particularly in the security agencies.

Two of the major concerns that were repeatedly raised by interlocutors were the ongoing discrimination by teachers against Shi’a children in schools and the intolerant content in school textbooks. Shi’a community leaders expressed concern that their children go to school and are told by state-employed teachers that they are “bad people,” that “Shi’a Muslims are worse than Christians and Jews,” or that “Shi’a Muslims are not true Muslims.” Others showed school textbooks that contained discriminatory and inflammatory language about the Shi’a community. When the Commission raised this concern, one Saudi government official simply denied it, claiming that there is no textbook in the Kingdom which says that Shi’a Muslims are infidels.

Moreover, several non-governmental interlocutors cited concerns about *fatwas* (religious edicts) issued by conservative Sunni clerics in recent years, including in 2007, which justify committing violent acts against Shi'a Muslims. Members of the Shi'a community expressed a desire to see more active government intervention when clerics issue such provocative edicts. Furthermore, in many cases, application of criminal law includes harsher punishments for Shi'a Muslims as well as Ismailis. Since many Saudi judges consider Shi'a Muslims and Ismailis to be "non-believers," they are frequently dealt with more severely by the courts.

Upon its return from Saudi Arabia, the Commission learned that since January 2007, dozens of members of the Shi'a community in the Eastern Province have been detained for up to 30 days and then released for holding small religious gatherings in private homes. None of the individuals have been charged with any crime, nor have Saudi authorities offered any explanation other than suggesting that the short-term detentions were punishment for holding private religious gatherings. Furthermore, the Commission learned that several British and American Shi'a men who traveled to Mecca in early August 2007 were harassed and beaten by members of the CPVPV.<sup>5</sup> According to one of those detained, a member of the CPVPV was making derogatory remarks about Shi'a Muslims in a public lecture inside a mosque. When the CPVPV member realized that the visitor was Shi'a, he arrested him after a short exchange of words. Nearly a dozen of the Shi'a men, including two minors, were detained and held overnight after hours of interrogation and verbal and physical abuse. According to one of the individuals who was detained, intervention by British and American diplomats helped secure their release.

On a positive note, several members of the Shi'a community pointed out that over the past few years, there have been some improvements for the Shi'a community in the Eastern Province, particularly regarding the public expression of religious practice. Members of the Shi'a community in Qatif, where they represent the majority of the population, held their largest public gathering in observance of Ashura without government interference in 2007. However, authorities continue to prohibit observance in other areas of the Eastern Province, such as in Al-Ahsa and Dammam. It was also noted that there has been an increase in the number of Shi'a judges and courts for family matters and personal status. While the Shi'a community points to increased dialogue with the government, there is limited progress on a number of practical issues, such as the ability to teach Shi'a beliefs to Shi'a children in schools and the inability to re-open mosques and *hussainiyas* (Shi'a community centers) in Al-Ahsa and Dammam that have been closed by the government for years.

Due to U.S. Embassy security policies, the Commission was not able to visit Najran in the south, home to the vast majority of Ismailis in the Kingdom. However, the delegation was able to meet with some non-governmental interlocutors who had knowledge of the situation of Saudi Ismailis. Human rights advocates report that Ismailis, a Shi'a sect numbering some 700,000 inside Saudi Arabia, continue to suffer severe discrimination and abuse by Saudi authorities, particularly in government employment and education. The government does not finance the building of mosques for Ismailis and has closed down several places of worship in recent years. In 2000, in the Najran region, after members of the CPVPV raided and closed down an Ismaili mosque, approximately 100 Ismailis, including clerics, were arrested. Many



were released after serving reduced sentences, but dozens remained in prison for several years. As of this writing, 17 Ismailis remain in prison, some of whom reportedly have been flogged.

Another Ismaili, Hadi Al-Mutaif, also remains in prison after originally being sentenced to death for apostasy in 1994 for a remark deemed blasphemous, which he made as a teenager. Al-Mutaif continues to serve a life sentence on reduced blasphemy charges and some non-governmental interlocutors said that because of the nature of the crime, the King cannot pardon him. Defense lawyers are trying to appeal in court, claiming that Al-Mutaif violated civil rather than criminal law. According to an official at the Interior Ministry, King Abdullah planned to pardon Al-Mutaif last year, but because Al-Mutaif's offense is considered a *hadd* crime by the court and not a *tahzir* crime, there are fewer options for intervention.<sup>6</sup> According to government officials, the issue is now in the hands of the Supreme Court. The Saudi Human Rights Commission stated that it was also working on this case.

### *Other Minority Muslim Communities*

Criminal charges of apostasy, blasphemy, and criticizing the nature of the regime are used by the Saudi government to suppress discussion and debate and to silence dissidents. Promoters of political and human rights reforms, as well as those seeking to debate the appropriate role of religion in relation to the state, its laws, and society are typically the target of such charges. For example, in March 2008, a Turkish Muslim citizen was sentenced to death by a court in Jeddah for allegedly blaspheming the prophet Muhammad; the sentence is being appealed to a higher court. According to a press report, two witnesses testified that they heard the Turkish man swear at God and the prophet Muhammad in a barbershop and reported it to authorities. In April 2007, an Egyptian Muslim guest worker reportedly was sentenced to death in the town of Arar in northern Saudi Arabia for allegedly desecrating the Koran and renouncing Islam. Media reports indicated that a court found the man guilty of no longer being a Muslim for "violating the boundaries set by God." In addition, spurious charges of "sorcery" and "witchcraft" continue to be used by the Saudi authorities against non-conforming Muslims. According to press reports, in 2007 the CPVPV arrested at least 25 individuals in Taif for practicing witchcraft and sorcery. Several individuals remain in prison on these charges.

In late December 2006, approximately 49 foreign guest workers, all members of the Ahmadi Muslim religious movement, were arrested by the CPVPV at a place of worship in Jeddah. In January and February 2007, an additional nine Ahmadis were arrested. In January 2007, after Saudi authorities began deporting several of the Ahmadi prisoners, mostly Indian and Pakistani nationals, international human rights groups called on the Saudi government to halt expulsions of foreign workers on account of their religious beliefs and affiliations. Despite this call, by early April 2007, all 58 of the Ahmadis had been deported. None of those deported are known to have been charged with any criminal offenses. In addition, two other Ahmadi religious leaders, who were not in Saudi Arabia during the initial arrests of 49 Ahmadis in December, have not returned to the country for fear of arrest and prosecution by Saudi authorities. According to the State Department, the Saudi government said that it had deported as many as 150 Ahmadis but it provided no explanation for their arrests or deportations.

Over the past few years, members of the Sufi community have been harassed, arrested, and detained because of their non-conforming religious views, although there have been no new

reports of such incidents in the past year. In September 2003, the *mutawaa* arrested 16 foreign workers for allegedly practicing Sufism; their status remains unknown. In June 2005, Saudi authorities shut down a weekly gathering held by a Sufi leader who adheres to the Shafi'i school of Islamic jurisprudence.

### **The Dissemination of Extremist Ideology and Intolerant Literature in Saudi Arabia and its Exportation Around the World**

For years, the Commission has expressed concern that Saudi government funding and other funding originating in Saudi Arabia have been used globally to finance religious schools, hate literature, and other activities that support religious intolerance and, in some cases, violence toward non-Muslims and disfavored Muslims. During the past year, there were continued reports, including from the State Department, of virulently anti-Semitic and anti-Christian sentiments expressed in the official media and in sermons delivered by clerics, who in some cases continue to pray for the death of Jews and Christians, despite having been disciplined for preaching extremist views. During its visit, the Commission gained some information from Saudi government officials regarding efforts to combat extremism and contain dissemination of hate literature within Saudi Arabia. However, despite raising many questions on the subject, the Commission was told very little about Saudi government efforts to halt the exportation of extremist ideology and literature outside the Kingdom. According to the State Department, the Saudi government either itself operates or tightly regulates all publishing entities inside Saudi Arabia.

#### *Efforts to Combat Extremism Inside Saudi Arabia*

In recent years, the Saudi government has undertaken some security measures to combat extremism, such as a “re-education” program for convicted “extremists” and the retraining or dismissal of imams known to espouse extremist views. However, these efforts appear to be designed to address security concerns rather than to implement reforms to protect human rights, including religious freedom.

According to the Ministry of Islamic Affairs, there are approximately 72,000 mosques in the country and about 120,000 employees paid by the Ministry, including imams and muezzins (those who make the call to prayer).<sup>7</sup> According to Saudi officials, the government uses several methods to deal with imams who preach hatred and extremism in mosques. The Minister of Islamic Affairs stated that there are government-appointed Islamic scholars in each province who meet with the particular imam who has been identified as advocating extremist views. In the first instance, the representative of the Ministry engages in direct dialogue by meeting with the imam in question in public to discuss the matter. If this dialogue fails to convince the imam to change his views, the Ministry representative meets with the imam privately. If this discussion is not successful, the imam will be dismissed from his post or, in some cases, criminally charged if he is found to have incited violence. According to the Ministry, approximately 1,000 have been dismissed since the September 11 attacks on the United States. Since the Commission visit, a press report indicated that Interior Minister Prince Naif gathered hundreds of imams and preachers in Riyadh to stress the importance of combating extremist ideas through activities such as Friday sermons.<sup>8</sup>

The Ministry of Islamic Affairs claimed to have started “retraining” imams who espouse intolerance since 2006, and that this has yielded positive results, although no statistics or detailed information were provided. In March 2008, the Saudi government announced that the Ministry of Islamic Affairs and the King Abdul Aziz National Center for Dialogue would carry out the retraining of 40,000 additional Muslim clerics in the Kingdom as part of a program to promote tolerance and moderation in Saudi society.<sup>9</sup> Imams are reportedly trained at a special training center that allows them a chance to be exposed to more moderate views. Saudi officials also stated that teachers, imams, or professors who promote hatred and intolerance are dismissed. Those let go can work in other fields of public or private employment, but not within the education system.

Among those people who have been arrested for promoting hatred and inciting violence, several, particularly those who have been sentenced to prison terms, have gone through a “re-education” program that aims to encourage prisoners to renounce extremist beliefs. According to one high-level Saudi official, more than 700 individuals have gone through this program and been given jobs, and then subsequently tracked and monitored. Furthermore, Saudi authorities claim to make every attempt to arrest those who promote violent acts, not just the perpetrators of the acts. Despite repeated requests by the Commission during and after its visit, no further statistics or details on dismissals were provided; nor was the Commission permitted to meet any “retrained” imams or those engaged in the training process.

#### *Efforts to Halt Exportation of Extremist Ideology Outside Saudi Arabia*

Saudi authorities categorically denied that extremist literature or materials were ever distributed through official government channels outside the country, despite numerous well-documented studies and reports to the contrary.<sup>10</sup> There was acknowledgement from some officials that before the September 11 attacks, many Saudi Muslim volunteers took it upon themselves to distribute extremist materials abroad. Saudi authorities claim to have found a “very small amount” of intolerant material abroad that would be considered extremist and this material has been subsequently destroyed. According to Saudi officials, unless there is explicit permission by the Ministries of Culture and Information or Islamic Affairs, no materials can be sent overseas. Despite requests for further clarification, the Commission could not confirm whether a formal mechanism exists to review thoroughly and revise educational materials and other materials sent outside of Saudi Arabia. In addition, the Commission received mixed and contradictory messages about which government entity has responsibility over materials that are sent abroad.

When asked about reports that Islamic Affairs sections in Saudi embassies worldwide have been responsible for both distributing extremist and intolerant materials and providing diplomatic status to Muslim, even non-Saudi, clerics, a high-level Saudi official said that these sections have been closed temporarily, pending reorganization, due to these reports. No time-frame was given for these reorganization efforts. In the meantime, the Commission was told, the Ministry of Foreign Affairs is analyzing what further steps should be taken. However, it is not clear if the activities of the Islamic Affairs sections are being carried out through other entities in Saudi embassies. Despite requests for clarification, the Commission was not able to determine

whether diplomatic status is still being given to religious personnel, including imams and religious teachers, both Saudi citizens and non-Saudi foreign nationals.

*Exportation of Extremism: an American Case in Point?*

The Commission has raised concerns for many years that the Saudi government and members of the royal family directly and indirectly fund the global propagation of an ideology which promotes hatred, intolerance, and other human rights abuses, including violence. The concern is not about the propagation of Islam *per se*, but about credible reports that the Saudi government's interpretation of Islam promotes abuses of human rights, including violent acts, against non-Muslims and disfavored Muslims. One potential example that gained attention in recent years is the Islamic Saudi Academy (ISA), a Saudi government school located in northern Virginia. The operation of the school raises serious concerns about whether it is in violation of a U.S. law restricting the activities of foreign embassies and whether textbooks used at the school are in violation of international human rights standards.

The ISA is unlike conventional private or parochial schools in the United States in that it is operated by a foreign government and uses that foreign government's official texts, and therefore falls under the Commission's mandate to monitor the actions of foreign governments in relation to religious freedom. The ISA's board is chaired by the Saudi Ambassador to Washington, the school is located on two properties, one of which is owned, the other leased, by the Saudi Embassy, and the institution shares the Embassy's Internal Revenue Service employer tax number.

In October 2007, the Commission requested that the Secretary of State commence immediate diplomatic discussions and appropriate actions under the Foreign Missions Act by securing the release of all Arabic-language textbooks used at the ISA. The Foreign Missions Act gives the Secretary of State the authority to regulate foreign missions in the United States and the broad discretion to decide how to treat such missions based on, among other things, "matters relating to the protection of the interests of the United States."<sup>11</sup> The Secretary's authority includes the power to require a foreign mission to divest itself of or forgo the use of property and to order it to close. The Commission made its recommendation to ensure that the books used at the ISA be publicly examined to determine whether they promote discrimination, intolerance, or violence based on religion or belief. The Commission's concerns are not theoretical, as independent studies have found that textbooks used in Saudi schools, which the ISA, until last fall, also claimed to use, have incited violence against others on the basis of their religion.

Commission concerns about the ISA are exacerbated by the Saudi Embassy officials' repeated refusals, despite the strong basis of concern and requests from the Commission and Members of Congress, to make textbooks available for outside scrutiny. The Saudi government has claimed that it has made changes to the textbooks, including in the July 2006 confirmation of policies, by stating that it thoroughly reviews and revises "educational materials and other literature sent abroad to ensure that all intolerant references are removed, and where possible, attempt to retrieve previously distributed materials that contain intolerance."

Following its visit to Saudi Arabia, the Commission again requested copies of the textbooks used at the ISA, but as of this writing, Saudi Embassy officials have not made them

available. Shortly after the Commission raised the issue last October, the Saudi government reportedly turned over textbooks used at the ISA to the State Department, but as of this writing, the Department has not made them available either to the public or to the Commission. After the Commission issued its recommendation on the ISA in October 2007, the school did distribute some textbooks during a series of open houses held for selected reporters and congressional staffers. However, it did not make available the texts thought to have the most problematic passages, including *Tawhid* (monotheism) and *Tafsir* (Koranic interpretation). The Commission continues to monitor this situation.

### **Intolerant References in Educational Materials and Textbooks**

In March 2006, the Saudi Embassy in Washington published a report summarizing efforts by the Saudi government to revise the state curriculum and a number of school textbooks to exclude language promoting religious intolerance.<sup>12</sup> Nevertheless, non-governmental organizations from outside Saudi Arabia continue to report the presence of highly intolerant and discriminatory language, particularly against Jews, Christians, and Shi'a Muslims, in educational materials published by the Ministry of Education.<sup>13</sup> It was these very kinds of contradictory assessments that the Commission sought to learn more about during its visit to Saudi Arabia. However, as mentioned above, the Commission's request to meet with a representative of the Ministry of Education was denied.

In several meetings with a variety of other Saudi officials, the Commission requested copies of textbooks, which were not supplied during the visit. Specifically, the Commission requested copies of textbooks used at all grade levels on *Hadith* (Islamic traditions), *fiqh* (matters of religious law and ritual), *tawhid* (matters of belief), Arabic language, and Saudi history. Despite the promise of several officials to send them to the Commission's office in Washington and later written requests by the Commission, as of this writing, nothing has been received. A July 2007 letter to the Commission from the Saudi Human Rights Commission stated that textbooks currently are being reviewed and copies would be sent to the Commission upon completion, although no completion date was given. The Commission delegation was told by U.S. Embassy officials that it also had not received copies of textbooks from the Saudi government, despite numerous requests over a period of several years.

According to a high-level Saudi official, oversight for textbooks and curricula fall within the jurisdiction of the Ministry of Education and the Ministry of Higher Education. The Ministry of Islamic Affairs stated that it does not have jurisdiction over textbooks or the education curriculum. Saudi officials did confirm that an inter-Ministerial committee was formed "some years ago" to review textbooks for intolerant content, although it was never made clear whether final decisions for changes to be made were under the purview of the Ministry of Education or the inter-Ministerial committee. A high-level Foreign Ministry official told the Commission that the Saudi government did review all the textbooks and removed language that was deemed to promote hatred and violence. According to this official, a representative of the Foreign Ministry served as a member on the committee. Most Saudi officials admitted some intolerant material in textbooks, but claimed that this was a very small portion of the curriculum. Furthermore, Saudi officials contended that much progress has been achieved over the past two – three years and that the government continues to work on the issue. They also claimed that the government does not

discriminate against any particular religious group and that government textbooks do not promote discrimination against people of different religious backgrounds. However, as discussed below, evidence from textbooks shown to the delegation privately demonstrates the contrary.

During the visit, non-governmental interlocutors offered varied perspectives on Saudi textbooks and the education system. Some claimed that the Saudi government has made progress in removing some disparaging references in textbooks, and ascribed the overhaul to both internal and international pressure. Others, however, while stating that some intolerant material had been removed over the past few years, indicated that much objectionable and discriminatory material remains. Some individuals pointed out that children from non-Sunni families must, on exams, affirm statements in the textbooks to the effect that their own religious beliefs are false; these children will otherwise fail the course and be forced to repeat it until they answer correctly. This is particularly true when the texts refer to Shi'a beliefs and tenets. The consequences frequently induce serious confusion for children regarding their beliefs, and, in some cases, psychological trauma.

Despite a request for clarification by the Commission, Saudi government officials did not respond to questions as to whether all students at the primary, secondary, or university levels are required to receive the same instruction in Islamic religious education, regardless of the child's religious background. Nor would the officials clarify whether students from different religions or sects of Islam are able to question the conclusions drawn about their sects or communities in the classroom. Individuals told the Commission privately that only one form of Islam is taught in schools and several Shi'a interlocutors supported this claim.

Other non-government interlocutors drew attention to additional weaknesses in the education system that resulted in the promotion of intolerance. Many pointed to the fact that the majority of Saudi teachers were poorly qualified; others stated that most teachers indoctrinated students in a "culture of intolerance" and that the attitudes and training of the teachers needed to be addressed in order to bring about change in the system. Some argued that regardless of the quality of the textbooks, it is the teachers who are manipulating the texts to promote intolerance, rather than understanding, among and between religious groups, Muslim and non-Muslim alike.

On this matter, one Saudi government official claimed that some teachers who promote intolerance and hatred have been fired and that others are being retrained. However, despite attempts to get further information from Saudi authorities, the Commission did not receive information about how many teachers and principals have been retrained. Furthermore, the Saudi government did not provide information about how many teachers have been held accountable for deviating from the approved curriculum, or if teachers' manuals have been revised to include promotion of tolerance.

Some non-governmental interlocutors stated that the entire education system is in disarray and needs a complete overhaul, beyond simply removing intolerant language in the textbooks, to ensure that students are properly prepared for the job market. In 2007, the Saudi government approved a \$3 billion project "to ensure overall development of its students by increasing their knowledge as well as their physical, professional, psychological and intellectual

capabilities.”<sup>14</sup> According to interlocutors, this process will take approximately three years to complete. However, none of these reform efforts will directly address the issues of intolerance.

In July 2006, the State Department stated that the Saudi government had confirmed that it plans to “revise and update textbooks to remove remaining intolerant references that disparage Muslims or non-Muslims or that promote hatred toward other religions or religious groups, a process the Saudi government expects to complete in one to two years [by July 2008].” In September 2007, the State Department reported that “changes made in 2006 and 2007 to the education system focused on updating teaching methods, including the use of increased class participation, active problem-solving methods, and small group workshops, but did not include revising substantive material.” The State Department also reported that the Saudi government had taken “limited measures” to remove disparaging passages about other religious groups from its textbooks and that some 2006-2007 textbooks “were found to be more tolerant than previous textbooks and had fewer negative references to non-Muslims.”

Early in 2008, the Saudi government posted on one of its Web sites<sup>15</sup> the current school year’s curriculum, including all relevant religious texts taught in primary, middle, and secondary schools in Saudi Arabia. However, a survey of the texts on the Saudi government Web site reveals that many of the passages previously flagged by the Commission and other independent researchers for inciting religious violence and hatred still remain.

### **State Harassment of Private Worship and the Inability to Obtain and Possess Religious Materials without Harassment**

There are no non-Muslim citizens in Saudi Arabia and no places of worship in the country are permitted other than mosques. In addition, the Saudi government enforces and limits public worship to its sanctioned version of Sunni Islam.

In meetings with the Commission delegation, several Saudi officials argued that it is not possible to have places of worship other than mosques in the Kingdom because Saudi Arabia is home to Islam’s two holiest sites: Mecca and Medina. Moreover, most officials asserted that there is a *hadith* (oral tradition) from the Prophet Muhammad which says that only Islam can exist on the Arabian Peninsula, although another Saudi official and other interlocutors contended that this *hadith* is subject to differing interpretations. Although the Commission pointed out that other countries on the Arabian Peninsula, such as Qatar and the United Arab Emirates, do permit non-Muslim public places of worship, some officials went so far as to state that having non-Muslim places of worship on Saudi soil would be equivalent to building mosques on Vatican property in Italy. Commissioners drew a distinction between a geographic entity in Italy of two square miles with 800-900 residents versus a country the size of Saudi Arabia containing between two and three million non-Muslim residents. In addition, some officials claimed, without providing any evidence, that if a non-Muslim place of worship were built in the Kingdom, the public would be outraged and the place of worship would be subject to attack by extremists and conservative elements in the Kingdom. Another official claimed, again without providing any evidence, that public opinion among Muslims outside of Saudi Arabia would never permit the government to allow public worship by non-Muslims because the Kingdom is home to the twin holy sites. What is more, some officials suggested that if expatriate workers

wish to practice their faith in public, they should leave Saudi Arabia and go to other countries in the region.

Saudi officials reiterated the government position that non-Muslim expatriate workers are permitted to worship in private. However, guidelines as to what constitutes “private” worship remain unclear and vague. The Foreign Ministry estimated that there are between two and three million non-Muslim expatriate workers in the Kingdom. Some officials suggested that as long as non-Muslims practice their religion in small groups in private homes, no security entity would interfere, since there is no law that prohibits non-Muslims from practicing in this manner. Furthermore, they maintained that members of the CPVPV are not permitted to enter private dwellings under any circumstances.

Despite these claims, there continue to be instances in which members of the CPVPV have entered and raided private homes where non-Muslim expatriate workers were worshipping. According to some non-governmental interlocutors, the incidents of raids on private homes of non-Muslim expatriate workers by members of the CPVPV and other security authorities have decreased in the past year. However, expatriate workers from countries such as the Philippines, India, Pakistan, and some African countries continue to be vulnerable to surveillance and raids by Saudi authorities, despite the fact that CPVPV members are not permitted to conduct such surveillance.<sup>16</sup> In fact, representatives of non-Muslim communities continue to assert that, in practice, religious freedom simply does not exist in the Kingdom. The Commission was told, however, that conditions for private worship are better in the Eastern Province than elsewhere in the country, such as in the Nejd region in the central part of the country, where private religious services continue to be surveilled and, in some cases, raided by Saudi authorities.

It is unclear whether Saudi missions abroad inform expatriate workers who will be entering the Kingdom about their right to private worship, including the right to bring personal religious materials inside the Kingdom. Despite previous assurances by the Saudi government that this policy is in place, requests for clarification were not answered. Furthermore, Saudi officials do not accept that for members of some religious groups, the practice of religion requires more than individual private worship, but includes the need for religious leaders to be able to conduct services in community with others. Religious leaders continue to be prohibited from seeking and obtaining visas to enter and minister to local religious communities.

On a positive note, non-governmental interlocutors indicated that there has been a decrease in recent years in the practice by customs officials of confiscating personal religious materials when expatriate workers or visitors enter the Kingdom. Nevertheless, in August 2007, a press report found that the official Web site of the state-owned Saudi Arabian Airlines included information for travelers that the Airlines claimed was based on Saudi government customs regulations: “Items and articles belonging to religions other than Islam are also prohibited. These may include Bibles, crucifixes, statues, carvings, items with religious symbols such as the Star of David, and others.”<sup>17</sup> This information clearly contradicts the reported Saudi policy, also confirmed to the United States, that customs inspectors at borders will not confiscate personal religious materials. Within days of the publication of the initial press report and other subsequent articles, the Saudi Arabian Airlines Web site removed the language about prohibiting specific religious materials.



In recent years, senior Saudi government officials, including King Abdullah and the Grand Mufti, have made statements with the reported aim of improving the climate of tolerance toward other religions; both also continued publicly to call for moderation. In November 2007, King Abdullah met with Pope Benedict at the Vatican. In March 2008, after a senior Muslim cleric, Sheikh Abdul-Rahman al-Barrak, issued a *fatwa* calling for the death of two writers who questioned why Christians and Jews should be considered apostates, King Abdullah proposed a dialogue with representatives of the so-called monotheistic faiths, Islam, Christianity, and Judaism. However, several days after King Abdullah's public proposal, press reports indicated that the Saudi Grand Mufti made clear that if such a gathering were to take place, representatives of the Jewish faith would not include Israeli Jews.

### **Official Harassment of Religious Practice**

Restrictions on public religious practice, for both Saudis and non-Saudis, are officially enforced in large part by the CPVPV, a government entity that includes a force of approximately 5,000 all-male field officers and a total of 10,000 employees in over 500 offices throughout the country. There are also hundreds of "unofficial" volunteers who take it upon themselves to carry out the work of the CPVPV. The CPVPV, which reports to the King, is tasked with enforcing public morality based on the Saudi government's interpretation of Islamic law. Members of the CPVPV patrol the streets enforcing dress codes, maintaining the strict separation of men and women, and ensuring that restaurants and shops are closed during daily prayers. During its visit to the Kingdom, Commission requests to meet with representatives of the CPVPV were denied by the Saudi government.

Within the past year, members of the CPVPV have occasionally conducted raids on worship services in private homes. They continue to harass, detain, whip, beat, and otherwise mete out extrajudicial punishments to individuals deemed to have strayed from "appropriate" dress and/or behavior, such as wearing Muslim religious symbols not sanctioned by the government.

Saudi officials told the Commission delegation that members of the CPVPV are required to be accompanied by law enforcement officials while in the line of duty, although this is not always the case in practice. One high-level Saudi official said that CPVPV members are required to be trained, but many are not, and others work alone instead of together with police officers. According to one press report, members of the CPVPV did not receive their first ever training until early September 2007.<sup>18</sup> According to the Interior Ministry, members of the CPVPV do not have the right to detain or conduct investigations of suspects and must immediately turn suspects over to the police.<sup>19</sup> Saudi government officials claimed to have dismissed and/or disciplined members of the CPVPV for abuses of power, although reports of abuse persist.

During the Commission's visit, representatives of the National Society for Human Rights (NSHR) said that it had received numerous complaints from Saudi citizens and expatriate workers about alleged abuses by the CPVPV. In its first ever report released in May 2007, the NSHR documented several such cases, including unsubstantiated accusations, questionable interrogation practices, beatings, unnecessary body searches, forced entry into private homes, and coerced confessions.<sup>20</sup> The NSHR has recommended that CPVPV regulations be specified

publicly for clarification. According to representatives of the NSHR, members of the CPVPV are required to wear uniforms and badges, but many do not comply with this regulation and it is not necessarily enforced.

Over the past year, there has been unprecedented media coverage, both inside and outside Saudi Arabia, of alleged abuses by the CPVPV. Numerous cases have gone to trial or are going to trial, including alleged beatings and deaths of Saudi citizens.<sup>21</sup> In late May 2007, nearly a dozen members of the CPVPV raided the home of a man suspected of possessing and selling alcohol in Riyadh. The 28 year-old man, Salman al-Huraisi, died in custody at one of the CPVPV offices in Riyadh, and family members accused members of the CPVPV of beating him to death. Autopsy results confirmed that he died due to physical abuse. After an investigation by Saudi authorities, the Riyadh Governorate announced in June that all official CPVPV members involved were cleared of any wrongdoing, and that an “unofficial” volunteer, or part-time worker, would be held responsible for the death of the man.<sup>22</sup> Even before the official investigation was complete and the announcement made, Minister of Interior Prince Naif stated publicly that a preliminary investigation proved that members of the CPVPV were not responsible for the man’s death. In November, a lower court acquitted two members of the CPVPV who were eventually charged with the killing of al-Huraisi. The Court of Cassation ordered a re-trial after identifying several errors made by the lower court, including failure to hear expert witnesses. In April 2008, a retrial began and is still in progress as of this writing.

In another case, a man died in June 2007 in the custody of members of the CPVPV in the northern town of Tabuk after he was apprehended for being found alone in a vehicle with a female who was not his relative. It was later established that the man, Ahmad al-Bulaiwi, was a part-time driver for the woman’s family. Four individuals, including three members of the CPVPV and a police officer, went on trial for their involvement in the man’s death; however, in late July, the court dropped the charges against all four men, reportedly due to the fact that an autopsy showed the man died of natural causes while in CPVPV custody.<sup>23</sup> Bulaiwi’s family is appealing the decision of the court. There were also several incidents in the past year in which members of the CPVPV were in cars pursuing, at high speeds, individuals who either died or were seriously injured after the pursuit resulted in vehicle accidents.<sup>24</sup> In one of the cases, a CPVPV spokesman denied any participation involving CPVPV members; in other cases, investigations are ongoing.

Several non-governmental interlocutors with whom the Commission met expressed outrage about the abuses of the CPVPV and their belief that members of the CPVPV had long overstepped their authority with impunity. Many expressed concern that CPVPV members consider themselves “above the law” and have never been held responsible for abuses. Some believed that a *fatwa* (religious edict) exists that does not allow CPVPV members to be held accountable under the law, although the existence of this *fatwa* could not be verified. Despite the media attention, many contended that members of the CPVPV will not be prosecuted or brought to justice because they are protected by elements within the religious establishment and the Royal family.

Despite specific requests for further information, the Commission did not receive any response from the Saudi government on the number of CPVPV members who have been trained

or retrained to ensure that the human rights of Muslims and non-Muslims are protected. In addition, the Saudi government did not respond to an inquiry about the number of CPVPV members who have been held accountable in the past for committing abuses or overstepping their jurisdiction.

In July 2007, after the Commission's visit, Interior Minister Prince Naif issued a directive requiring CPVPV members to deliver immediately any individual arrested—male or female—to local authorities, reaffirming a Royal decree issued in 1981.<sup>25</sup> According to this directive, interrogations at CPVPV centers are prohibited and members who fail to abide by the guidelines should be dismissed. Furthermore, the directive gives authority to the General Investigation and Prosecution Authority to conduct random inspections of CPVPV offices. In June, the president of the CPVPV, Ibrahim al-Ghaith, announced that the CPVPV had established a legal department, the Department of Rules and Regulations, to handle legal matters and compliance with internal regulations, and had hired a spokesperson to handle public relations at its national headquarters.<sup>26</sup> It is not yet clear whether these changes represent genuine reform efforts or reform on paper only.

## **Empowerment of Officially Sanctioned Human Rights Institutions**

### *Human Rights Commission*

In September 2005, the Council of Ministers, chaired by King Abdullah, approved the establishment of a government-appointed, 24-member Human Rights Commission (HRC) that reports directly to the King. The membership of the HRC was not finalized until early 2007 and does not include any female members, although in March 2008, the HRC's Chair, Turki Al Sudairy, announced that a new royal decree would allow women members on the Commission. The HRC is mandated to "protect and promote human rights in conformity with international human rights standards in all fields, to propagate awareness thereof, and to help ensure their application in a manner consistent with the provisions of the Islamic Sharia."<sup>27</sup> During its visit, the Commission delegation met with Al Sudairy and numerous members of the HRC's Board.

According to several members, the HRC hopes to develop a knowledge of international human rights norms among the citizens and residents of the Kingdom, including about international treaties that the Saudi government has ratified. Because the Koran is the constitution of the country, members of the HRC stated that the country must operate strictly in accordance with Islamic law. The HRC stated that it already has negotiated agreements for cooperation with some government agencies, including the Ministry of Defense, the Ministry of Social Affairs, and the Red Crescent Society. In July 2007, the Ministry of Islamic Affairs agreed to work with the HRC to begin an awareness campaign in the Kingdom "to promote the ideals of human rights in the teachings of Islam."<sup>28</sup> The campaign will focus on creating awareness among Saudi citizens and residents about the teachings of human rights in Islam and will reportedly include Friday sermons, with the intention that imams will take part in fostering a culture of respect for human rights in mosques.

The HRC has not yet trained the police and security forces in human rights practices, but plans to do so. In addition, the HRC has initiated a dialogue with the Office of the UN High

Commissioner for Human Rights (UNHCHR) in Geneva, and UNHCHR representatives are scheduled to go to the Kingdom to conduct a training session for members of the Board. According to members of the HRC, the Board will also receive technical assistance from the UN in Geneva.

The HRC is also developing pamphlets on various human rights issues to demonstrate that human rights are not a “foreign” concept, but rather, in accordance with Islam. In this context, however, one of the representatives of the HRC told the Commission that there are two principles in the Universal Declaration of Human Rights with which it disagrees: 1) allowing Muslim women to marry non-Muslim men, and 2) conversion from Islam to another faith, although the HRC representative acknowledged that the latter is in dispute among Muslim scholars.

Procedurally, the HRC receives complaints from individuals and follows up to determine whether there has been a possible violation. The HRC then begins an investigation and makes appropriate recommendations to relevant government agencies. According to the HRC, it has received more than 1,000 complaints and has resolved at least two-thirds of them.

The members of the HRC identified several ways in which the HRC and the Saudi government are working to advance freedom of religion or belief in the Kingdom. These include the facts that: 1) the King regularly makes statements against religious bigotry; 2) the King Abdul Aziz National Center for Dialogue brings together all sectors of society, including various Muslim sects; 3) the government has removed approximately 2,000 imams who preached religious hatred and intolerance; 4) the HRC is introducing a “culture of human rights” to the public; 5) several cases involving imams inciting violence were brought to the attention of the HRC, which reported the cases to the relevant Ministries; and 6) an HRC women’s section will be established soon to deal with women’s rights in accordance with sharia. In addition, during the Commission’s visit, the HRC publicly announced that it would take up the issue of societal discrimination against Muslims who follow different schools of thought within Islam.<sup>29</sup>

Several Board members admitted that the HRC’s mission is still in the process of being formulated. They acknowledged that there is much to be accomplished, but also expressed a need to move slowly and introduce concepts gradually, so as not to push too hard on a population that is not familiar with international human rights concepts, particularly those related to freedom of religion or belief.

It is the Commission’s view that the HRC can advance human rights protections if it examines all internationally recognized human rights issues and its inquiries regarding individual complaints and recommendations to the Saudi government are implemented in practice.

### *National Society for Human Rights*

In March 2004, the Saudi government approved the formation of a National Society for Human Rights (NSHR), the country’s first, and up to now, only independent, legally recognized human rights body. The NSHR is comprised of 41 members, including 10 women, and is chaired by a member of Saudi Arabia’s Consultative Council (or Shura), a 150-member advisory

body. The NSHR, which was originally endowed by King Fahd, submits its reports and recommendations directly to King Abdullah. The Commission delegation met with members of the NSHR in Jeddah, the Eastern Province, and at its national headquarters in Riyadh. The NSHR has offices in Riyadh, Jeddah, Dammam, and Jizan, and will be opening an office in the northern region in the future.

Representatives of the NSHR stated that they work to promote the human rights of all in Saudi Arabia, both citizens and foreign nationals, as well as Saudi citizens abroad. They obtain information through individual complaints, site visits, public reports, and the media. The NSHR also studies state compliance with Islamic and international law and works to explain to the public that there is no contradiction between international human rights standards and Islamic law. According to members of the NSHR, their work is conducted in accordance with Islam and they are hoping to clarify through reporting that many human rights problems arise in the Kingdom because of old, outdated traditions and customs rather than religious precepts. Therefore, the issues can be addressed without contradicting Islamic principles.

The NSHR works with Saudi government agencies in order to press for the implementation of its recommendations. Representatives of the NSHR told the Commission it had already received cooperation from several government agencies, but admitted that the Ministry of Interior has not been fully cooperative. Generally speaking, the NSHR continues to have difficulties in getting government agencies to comply with international standards. As of this writing, no members of security agencies have received training on international human rights treaties, including the UN Convention against Torture, which NSHR members believed to be particularly important for security personnel. According to members of the NSHR, government agencies are required to respond to NSHR inquiries within three weeks, but this does not usually happen in practice.

Since 2004, the NSHR has received more than 12,000 complaints in various areas, from judicial issues to labor matters.<sup>30</sup> Representatives of the NSHR claimed to have resolved almost 70 percent of those complaints. Expatriate workers also lodged numerous complaints with the NSHR. Complaints related to family matters make up approximately 40 percent of all cases; some of the most important issues on the social level are domestic violence, divorce, and sexual harassment by relatives. According to the NSHR, raising women's issues used to be taboo some years ago, but today their issues can more openly be discussed in the media and in public. The NSHR office in Dhahran said it receives at least four complaints about domestic violence per day. According to NSHR members, the Ministry of Social Affairs recently established a new unit within the Kingdom to deal with violence against women.

Just days before the Commission delegation arrived in Saudi Arabia, the NSHR published its first ever report calling for wide-ranging improvements in human rights practices in the Kingdom. The lengthy report details abuses in the Kingdom on most international human rights issues and offers numerous recommendations for the Saudi government.

Although the section of the NSHR report on the "Right to Freedom of Religion and Belief" uses religious justifications to support the international right to freedom of religion or belief, it also reaches some troubling conclusions. The section highlights the fact that there should be no compulsion in religion and that "it is forbidden to force someone to forsake his

religion and adopt another...[and] man's freedom to choose his religion is the basis of belief."<sup>31</sup> Later in the section, the report states that "every individual is free to believe in anything and to adopt any ideas he wants." However, the report also specifies reasons that so-called apostates from Islam deserve retribution: "the apostate...according to Islamic Sharia, deserves punishment for raising *fitnah* (sedition), mayhem and damaging the general public order of the Islamic state." The Commission is disappointed that the report does not discuss any objections, from scholars or from a universal human rights perspective, to the concept of apostasy or the severe punishments. The report notes that no one has been executed for apostasy in recent years and claims that non-Muslims enjoy the right to private worship.

The section also states that because of decades of "conservative religious culture," there is a consensus within Saudi society that no religion other than Islam should be practiced in public. The report concludes that "this does not represent a violation of the right to freedom of belief, which is essentially a personal belief." Despite the NSHR's conclusions, it should be noted that the Universal Declaration of Human Rights and international treaties to which Saudi Arabia is a party clearly provide that the right to freedom of religion or belief includes the freedom "either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching."

The Commission believes that the NSHR can play a more constructive role in protecting human rights by maintaining its independence from the government and ensuring that its reporting and recommendations are in conformity with universal human rights standards.

### **Commission Activities**

In recent years, the Commission has spoken out numerous times about religious freedom concerns in Saudi Arabia. In January 2008, the Commission released a public statement calling on President Bush to raise ongoing Saudi violations of the freedom of religion and other human rights during his meetings that month with Saudi leaders in the Kingdom. In October 2007, the Commission held a press conference at which it released its findings from the May-June visit to Saudi Arabia and presented the Commission's assessment of Saudi government progress on implementation of the July 2006 confirmation of policies. In April 2007, Commissioners Felice D. Gaer and Nina Shea met with the newly appointed U.S. Ambassador to Saudi Arabia, Ford M. Fraker, to discuss persistent religious freedom concerns. In December 2007, the Commission issued a public response to a letter from a group of parents of students at the Islamic Saudi Academy in northern Virginia.

In June 2006, then-Commission Vice Chair Shea testified on behalf of the Commission before the House International Relations Subcommittee on Africa, Global Human Rights and International Operations at a hearing entitled "The Plight of Religious Minorities: Can Religious Pluralism Survive?" Commissioner Shea's testimony focused on religious freedom conditions in five countries—Egypt, Iran, Iraq, Pakistan and Saudi Arabia—as well as recommendations for U.S. policy. In September 2006, the Commission publicly expressed concern that the State Department had removed longstanding and widely quoted language, "freedom of religion does not exist," from its 2006 *Report on International Religious Freedom* on Saudi Arabia, despite the fact

that the report states that “there generally was no change in the status of religious freedom during the reporting period.”

In October 2006, the Commission held a briefing on the current status of human rights and reform in Saudi Arabia with Ibrahim al-Mugaiteeb, President of *Human Rights First Society*, a human rights organization in Saudi Arabia that, despite repeated attempts to gain official recognition, has never been granted a license to function by the Saudi government. Mr. al-Mugaiteeb operates in the Kingdom at his own risk. In November 2006, the Commission issued a statement and wrote to then U.S. Ambassador to Saudi Arabia James Oberwetter about misleading claims by Saudi authorities regarding the purported release of religious prisoners in the southwestern region of Najran.

## **Recommendations for U.S. Policy**

Below are Commission recommendations regarding U.S. policy toward Saudi Arabia.

### **I. Strengthen U.S. Human Rights Diplomacy as Part of the Bilateral Relationship**

The U.S. government should:

- continue to designate Saudi Arabia a “country of particular concern,” or CPC, under IRFA, for engaging in systematic, ongoing, and egregious violations of the right to freedom of religion or belief;
- create a formal mechanism to monitor implementation of the July 2006 policies as part of every meeting of the United States-Saudi Arabia Strategic Dialogue, co-chaired by the U.S. Secretary of State and the Saudi Foreign Minister; and ensure that U.S. representatives to each relevant Working Group of the Strategic Dialogue, after each session, or at least every six months, report its findings to Congress;
- work with the Saudi government to establish a civil society component of the United States-Saudi Arabia Strategic Dialogue so that non-governmental entities from both countries can be given a platform to discuss mutual human rights concerns, including freedom of religion or belief;
- report to Congress, as part of the reporting required under H.R. 1, Section 2043 (c) (1(b)) (“Implementing Recommendations of the 9/11 Commission Act of 2007”), on progress by the Saudi government to implement the July 2006 previously identified and confirmed policies related to religious practice and tolerance; a description of such progress should include Saudi government transparency and any benchmarks and timetables established for implementation of the July 2006 conformed policies;
- expand the religious educators program—which brings Saudi religious leaders and scholars to the United States through a three week International Visitor Program ( IVP) to learn about religious freedom in the United States—to include visits to Saudi Arabia by appropriate

American leaders and educators, and increase the numbers and diversity and range of experience of visitors to both countries;

- address the work of the Human Rights Commission (HRC) and National Society for Human Rights (NSHR) by:
  - urging the Saudi government to ensure that all government agencies cooperate fully with the HRC and the NSHR, including by publishing the decree requiring cooperation and abiding by it, including with penalties for failure to cooperate;
  - urging the HRC to study the situation of freedom of religion or belief in the Kingdom, based on universal human rights standards, and report its findings publicly;
  - offering to facilitate training on universal human rights standards, including the right to freedom of thought, conscience, and religion or belief, as well as to provide limited technical support on universal norms to the HRC and NSHR; and
  - urging the Saudi government to implement recommendations from the NSHR's May 2007 report, which, while not addressing religious freedom concerns *per se*, if implemented, could be a welcome initial step towards improving overall human rights compliance in the Kingdom.

## **II. Address Exportation of Extremist Ideology and Intolerance in Education Materials in Saudi Arabia and Around the World**

Given that official Saudi school textbooks continue to include language encouraging hatred and violence that adversely affects the interests of the United States and that the Saudi government, despite repeated requests over a period of several years, has failed to make its current textbooks available to support its claims that such language has been eliminated, the U.S. government should:

- request that the Saudi government:
  - make publicly available the curricula and teacher training manuals used in state primary and secondary schools inside the country;
  - provide an accounting of what kinds of Saudi official support have been and continue to be provided to which religious schools, mosques, centers of learning, and other religious organizations globally, including in the United States;
  - make public the content of educational and other materials sent abroad to demonstrate whether such activities promote hatred, intolerance, or justify or encourage other human rights violations;



- establish a transparent public effort to monitor, regulate, and report publicly about the activities of Saudi charitable organizations based outside Saudi Arabia in countries throughout the world;
- cease granting diplomatic status to Islamic clerics and educators teaching outside Saudi Arabia; and
- ensure that Islamic affairs sections in Saudi embassies throughout the world remain closed indefinitely in accordance with past promises;
- report publicly to Congress on all the above areas as part of the reporting on progress of Saudi government implementation of the July 2006 confirmation of policies, referred to in the recommendation above; and
- communicate and share information with other concerned governments about the July 2006 policies related to Saudi exportation of hate literature and extremist ideology.

### **III. Press for Immediate Improvements in Other Areas Related to Freedom of Religion or Belief**

The U.S. government should continue to advance adherence to international human rights standards, including the freedom of everyone to “manifest his religion or belief in worship, observance, practice and teaching” and prohibit coercion in matters of religion or belief. Saudi government persistence in severely restricting all forms of public religious expression other than the government’s interpretation and enforcement of its version of Sunni Islam is a violation of the freedom of thought, conscience, and religion or belief. As initial steps, the U.S. government should press for immediate improvements in respect for religious freedom, including by urging the Saudi government to:

- establish genuine safeguards for the freedom to worship privately;
- end state prosecution of individuals charged with apostasy, blasphemy, sorcery, and criticism of the government;
- dissolve the Commission to Promote Virtue and Prevent Vice (CPVPV) and entrust law enforcement to professionals in law enforcement agencies with a precise jurisdiction and subject to judicial review and immediately ensure that members of the CPVPV are held accountable and prosecuted for abuses; conduct prompt and independent investigations into reported abuses; ensure complainants due process and other rights under international law, including the right to challenge the lawfulness of his/her detention and be released if it is not lawful; and provide the right to a remedy, including an enforceable right to compensation;
- allow foreign clergy to enter the country to carry out private worship services;

- review cases and release those who have been detained or imprisoned for violations of human rights including their religious belief or practices;
- permit independent non-governmental organizations to monitor, promote, and protect human rights;
- invite the UN Special Rapporteur on Freedom of Religion or Belief to conduct a visit to Saudi Arabia in accordance with the standard terms for such a UN visit;
- ratify international human rights instruments, including the International Covenant on Civil and Political Rights, and cooperate with UN human rights mechanisms;
- implement the recommendations made in Section II (“Address Exportation of Extremist Ideology and Intolerance in Education Materials in Saudi Arabia and Around the World”).



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<sup>1</sup> Office of the Spokesman, State Department Media Note, “Ambassador at Large for International Religious Freedom Briefs Congress on U.S.-Saudi Discussions on Religious Practice and Tolerance,” July 19, 2007 (<http://www.state.gov/r/pa/prs/ps/2006/69197.htm>).

<sup>2</sup> Under IRFA, the simple designation of a country as a CPC is not by itself sufficient action. CPC designation carries an obligation that one or more of certain actions specified in Section 405 of IRFA be taken, unless the Secretary of State, as the President’s designee, determines that pre-existing sanctions are adequate or otherwise waives the requirement.

<sup>3</sup> Unfortunately, the Commission did not have access to certain Muslim minority communities. Therefore, this section of the report is limited in its focus to minority Muslim communities about which the Commission obtained firsthand information.

<sup>4</sup> Expatriate workers are also reportedly subject to physical abuse by their employers.

<sup>5</sup> Commission staff interviewed one of the American Shi’a Muslim visitors upon his return to the United States in September 2007. Also see Stephen Schwartz, “Saudi Arabia’s Koran Cops,” *The Weekly Standard*, September 3, 2007

(<http://www.weeklystandard.com/Content/Public/Articles/000/000/014/023xwsaa.asp>).

<sup>6</sup> *Hadd*, a punishment mandated by the Koran, generally cannot be overturned by the state. *Tahzir*, a punishment not mandated by the Koran, is considered discretionary and less serious and can be overturned by the state.

<sup>7</sup> The primary mission of the Ministry of Islamic Affairs is to supervise and finance the construction and maintenance of the vast majority of mosques in the country, in addition to spreading the teachings of the Koran and translating it into as many languages as possible. The Ministry also maintains all Islamic endowments, particularly the two holy sites in Mecca and Medina. The Ministry publishes Korans and reviews materials in mosques to ensure compliance with its standards.

<sup>8</sup> Raid Qusti, “Awareness Drive to Promote Human Rights Set,” *Arab News*, July 11, 2007 (<http://www.arabnews.com/?page=1&section=0&article=98370&d=11&m=7&y=2007>).

<sup>9</sup> Magdi Abdlehad, “Saudis to Retrain 40,000 Clerics,” *BBC News*, March 20, 2008 ([http://news.bbc.co.uk/2/hi/middle\\_east/7308040.stm](http://news.bbc.co.uk/2/hi/middle_east/7308040.stm)).

<sup>10</sup> For example, see Center for Religious Freedom and Institute for Gulf Affairs, *Saudi Arabia’s Curriculum of Intolerance*, Freedom House, 2006 ([http://www.hudson.org/files/publications/CRF\\_SaudiReport\\_2006.pdf](http://www.hudson.org/files/publications/CRF_SaudiReport_2006.pdf)).

<sup>11</sup> 22 U.S.C. 4301(c).

<sup>12</sup> “Summary of Saudi Arabia’s Comprehensive Program to Revise the National Educational Curricula,” Royal Embassy of Saudi Arabia, Washington, DC, March 2006.

<sup>13</sup> Center for Religious Freedom and Institute for Gulf Affairs, *Saudi Arabia’s Curriculum of Intolerance*, Freedom House, 2006 ([http://www.hudson.org/files/publications/CRF\\_SaudiReport\\_2006.pdf](http://www.hudson.org/files/publications/CRF_SaudiReport_2006.pdf)).

<sup>14</sup> P.K. Abdul Ghafour, “Education System Undergoing Major Overhaul,” *Arab News*, April 17, 2007 (<http://www.arabnews.com/?page=1&section=0&article=95083&d=17&m=4&y=2007>).

<sup>15</sup> [http://www.eschool.gov.sa/index.php?option=com\\_wrapper&Itemid=109](http://www.eschool.gov.sa/index.php?option=com_wrapper&Itemid=109).

<sup>16</sup> It should be noted that during its visit, the Commission delegation had very limited access to non-Muslim expatriate workers from non-Western countries.

<sup>17</sup> Michael Freund, “Saudis Might Take Bibles from Tourists,” *Jerusalem Post*, August 8, 2007 (<http://www.jpost.com/servlet/Satellite?cid=1186557401034&pagename=JPost%2FJPostArticle%2FShowFull>).

<sup>18</sup> Mariam Al Hakeem, “Case Against Saudi Religious Police Adjourned,” *Gulf News*, September 4, 2007 (<http://archive.gulfnews.com/articles/07/09/04/10151174.html>).

<sup>19</sup> Faiza Saleh Ambah, “An Unprecedented Uproar Over Saudi Religious Police,” *The Washington Post*, June 22, 2007, p. A14.

<sup>20</sup> The Commission obtained from the U.S. Embassy in Riyadh a provisional translation into English of the original NSHR May 2007 report written in Arabic.

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- <sup>21</sup> Roula Khalaf and Andrew England, "Saudi Religious Police Face Pressure," *Financial Times*, June 5, 2007.
- <sup>22</sup> See Human Rights Watch, "Saudi Arabia: Hold Religious Police Accountable for Killing," July 25, 2007 (<http://hrw.org/english/docs/2007/07/25/saudia16476.htm>); and Raid Qusti, "Commission Cleared in Huraisi Death," *Arab News*, June 26, 2007 (<http://www.arabnews.com/?page=1&section=0&article=94954&d=26&m=6&y=2007>).
- <sup>23</sup> Abdullah Shiri, "Charges Dropped Against Saudi Police," *Associated Press*, July 31, 2007 (<http://www.washingtonpost.com/wp-dyn/content/article/2007/07/31/AR2007073101044.html>).
- <sup>24</sup> Yousuf Muhammad, "Car Crash Kills 4 in Madinah; Commission Role Suspected," *Arab News*, April 1, 2008 (<http://www.arabnews.com/?page=1&section=0&article=108448&d=1&m=4&y=2008>).
- <sup>25</sup> See Asharq Al-Awsat, "Saudi Interior Ministry Issues Warning Against Commission," July 15, 2007 (<http://aawsat.com/english/news.asp?section=1&id=9580>) and Raid Qusti, "Govt Cautions Commission Members," July 15, 2007 (<http://www.arabnews.com/?page=1&section=0&article=98507&d=15&m=7&y=2007>).
- <sup>26</sup> Raid Qusti, "Virtue Commission Chief Disputes NSHR Findings," *Arab News*, June 11, 2007 (<http://www.arabnews.com/?page=1&section=0&article=97340&d=11&m=6&y=2007>).
- <sup>27</sup> The Commission delegation obtained from the Human Rights Commission a copy of their statute, Saudi Council of Ministers Decision No. 207, dated September 12, 2005. See Article I of the statute.
- <sup>28</sup> Raid Qusti, "Awareness Drive to Promote Human Rights Set," *Arab News*, July 11, 2007 (<http://www.arabnews.com/?page=1&section=0&article=98370&d=11&m=7&y=2007>).
- <sup>29</sup> Raid Qusti, "Rights Group to Study Claims of Sectarian Prejudices in Society," *Arab News*, June 3, 2007 (<http://www.arabnews.com/?page=1&section=0&article=96997&d=3&m=6&y=2007>).
- <sup>30</sup> Raid Qusti, "Need to Teach Human Rights in School Stressed," *Arab News*, January 6, 2008 (<http://www.arabnews.com/?page=1&section=0&article=105345&d=6&m=1&y=2008>).
- <sup>31</sup> See Chapter III, Section I, Paragraph I, of the National Society for Human Rights May 2007 report.