



# SAUDI ARABIA

## Key Findings

Despite some improvement in religious freedom, Saudi Arabia remains uniquely repressive in the extent to which it restricts the public expression of any religion other than Islam, and a number of high profile cases during the past year demonstrated the government's continued disregard for freedom of thought, conscience, and religion or belief. The government privileges its own interpretation of Sunni Islam over all other interpretations and prohibits any non-Muslim public places of worship in the country. It continues to prosecute, imprison, and flog individuals for dissent, apostasy, blasphemy, and sorcery, and a 2014 law classifying blasphemy and advocating atheism as terrorism has been used to prosecute human rights defenders and others. In addition, authorities continue to repress and discriminate against dissident clerics and members of the Shi'a community who criticize the government and call for equal rights. Based on the Saudi government's systematic, ongoing, and egregious violations of religious freedom, USCIRF again recommends in 2016 that Saudi Arabia be designated a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). The State Department has designated Saudi Arabia a CPC repeatedly since 2004, most recently in July 2014. However, since 2006, an indefinite waiver has been in place on taking action otherwise mandated by law as a result of the CPC designation.

## Background

Saudi Arabia is officially an Islamic state whose legal system is based on the Hanbali school of Sunni Islamic jurisprudence. The constitution is comprised of the Qur'an and the *Sunna* (traditions of the Prophet Mohammed). The population is nearly 28 million, including approximately eight to 10 million expatriate workers of various faiths, including nearly two million non-Muslims. Approximately 85-90 percent of citizens are Sunni Muslim and 10-15 percent are Shi'a Muslim.

During the reporting period, there was a significant increase in the number of terrorist attacks targeting Shi'a Muslims in the Eastern Province. Many of the attacks were perpetrated by the Islamic State of Iraq and the Levant (ISIL) or its affiliates. Consequently, the Saudi government has arrested hundreds of individuals either involved in the incidents or who were connected to ISIL or promoting its message. In addition, several officials and clerics publicly condemned the attacks against the Shi'a community and called for national unity.

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In recent years, the Saudi government has made improvements in policies and practices related to freedom of religion or belief; however, it persists in restricting most forms of public religious expression inconsistent with its particular interpretation of Sunni Islam. Saudi officials base this on their interpretation of a *hadith* and state that this is what is expected of them as the country that hosts the two holiest mosques in Islam, in Mecca and Medina. This policy violates the rights of other Sunni Muslims who follow varying schools of thought, Shi'a and Ismaili Muslims, and both Muslim and non-Muslim expatriate workers. During the reporting period, Saudi officials stated that the judiciary is in the process of codifying the penal code and working to ensure that it is consistent with human rights standards.

While the government has taken some steps to address its legitimate concerns of combatting religious extremism and countering advocacy of violence in sermons and educational materials, other government

actions continue to restrict peaceful religious activities and expression by suppressing the religious views and practices of Saudi and non-Saudi Muslims who do not conform to official positions. Furthermore, the government has not widely promulgated its policy of protecting private religious practice for non-Muslim expatriate workers in the country, which fosters a sense of insecurity.

## **Religious Freedom Conditions 2015–2016**

### **Recent Improvements**

USCIRF has noted some improvements in recent years that include: curtailing the powers of the Commission for the Promotion of Virtue and Prevention of Vice (CPVPV) as described below; promoting a “culture of dialogue” and understanding between Muslim religious communities inside the Kingdom and advancing inter-religious dialogue in international fora; improving conditions for public religious expression by Shi’a Muslims in certain areas of the Eastern Province; continuing efforts to counter extremist ideology inside the Kingdom, including by dismissing clerics and teachers who espouse intolerant or extremist views; and making revisions to remove intolerant passages from textbooks and curriculum.

to obtain permits to operate, leaving them at risk of imminent closure. The Shi’a community also faces discrimination in education, employment, the military, political representation, and the judiciary.

In recent years, Shi’a dissidents and reformers have received lengthy prison terms or death sentences for their activities. One prominent Shi’a cleric, Nimr al-Nimr, was executed in January 2016 after being sentenced to death in 2014 by a Specialized Criminal Court for “inciting sectarian strife,” disobeying the government, and supporting rioting. Created in 2008, the Specialized Criminal Court is a non-Shari’ah court that tries terrorist-related crimes, although human rights activists also have been tried in these courts. Al-Nimr – who was a vocal critic of the government and a staunch supporter of greater rights for the Shi’a community – was executed the same day as 46 others, including three other Shi’a Muslims convicted of questionable security-related charges. The execution of al-Nimr resulted in an international outcry by various governments, USCIRF, the United Nations, and human rights groups, and exacerbated sectarian tensions in the country and the region. In August 2014, Tawfiq al-Amr, a Shi’a cleric from the al-Ahsa governorate, was sentenced to eight years in prison, followed by a 10-year travel ban, and barred from

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### **Restrictions on Shi’a Muslims and Dissidents**

Arrests and detentions of Shi’a Muslim dissidents continued. For many years, the government has detained and imprisoned Shi’a Muslims for participating in demonstrations or publicly calling for reform; holding small religious gatherings in private homes without permits; organizing religious events or celebrating religious holidays in certain parts of the country; and reading religious materials in private homes or *husseiniyas* (prayer halls). Saudi officials often cite security concerns – rather than limiting religious freedom – as a justification for these restrictions. According to the State Department, most existing Shi’a mosques in the Eastern Province are unable

delivering sermons. According to human rights groups, a Specialized Criminal Court convicted him on charges of defaming Saudi Arabia’s ruling system, ridiculing its religious leaders, inciting sectarianism, calling for change, and “disobeying the ruler.” In January 2015, his sentence was upheld on appeal.

Dissident Sunni Muslims also encountered repression. For example, in November 2014, a criminal court convicted Mikhlif al-Shammari, a Sunni Muslim writer and activist, and sentenced him to two years in prison and 200 lashes for, in part, visiting prominent Shi’a leaders in the Eastern Province and promoting reconciliation between Sunni and Shi’a Muslims through social media. In

November 2015, his sentence was upheld on appeal. At the end of the reporting period, he had not been summoned to serve his prison term nor had he received any lashes.

### **Increase in Violent Attacks against Shi'a Muslims**

During the past year, terrorists, including ISIL and its affiliates, increasingly targeted Shi'a worshippers. During the reporting period, there have been at least five major attacks targeting Shi'a places of worship: in January 2016, a suicide bombing and gun attack on a Shi'a mosque in al-Ahsa in the Eastern Province resulted in four deaths and at least 18 injured; in October, a gunman opened fire on a Shi'a mosque in Saihat in the Eastern Province, killing five and wounding nine; also in October, a suicide bombing at a Shi'a mosque in the Najran Province resulted in two deaths and at least 19 injured; in May, a suicide bombing outside a Shi'a mosque in Dammam, Eastern Province resulted in four deaths; and earlier in May, a suicide bombing at a Shi'a mosque in Qatif, Eastern Province killed 21 and injured more than 100.

### **Apostasy, Blasphemy, and Sorcery Charges**

The Saudi government continues to use criminal charges of apostasy and blasphemy to suppress discussion and debate and silence dissidents. Promoters of political and human rights reforms, and those seeking to debate the role of religion in relation to the state, its laws, and society, typically have been the targets of such charges.

In February 2015, a General Court reportedly sentenced to death a Saudi man for apostasy. According to multiple reports, the unidentified man allegedly posted a video of himself on a social networking site tearing pages from a Qur'an while making disparaging remarks. The court used this video as evidence to convict him and justify the death sentence; at the end of the reporting period, his status was unknown.

In November 2015, Saudi poet and artist Ashraf Fayadh was sentenced to death for apostasy allegedly for questioning religion and spreading atheist thought through his poetry. He also was charged with violating Article 6 of the Anti-Cyber Crime Law by taking and storing photos of women on his phone. Fayadh said

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In several of these cases, the perpetrators committed suicide while carrying out the attack or were killed by authorities. In most cases, Saudi officials and religious leaders condemned the attacks and called for national unity. During the reporting period, hundreds of individuals were arrested because they were connected to the various attacks; planned attacks or monitored potential targets; or used social media to spread extremist ideology and attract new recruits. In July 2015, the Ministry of Interior stated that more than 400 individuals, mostly those linked to ISIL, had been arrested. Several of the investigations related to these incidents are ongoing. Human rights groups have suggested that Saudi government rhetoric is not sufficient to prevent future attacks and that reform to policies is needed.

in court that the photos were taken at an art gallery. In May 2014, a Saudi general court in the southwestern city of Abha originally sentenced Fayadh to four years in prison and 800 lashes. After his appeal was dismissed, Fayadh was retried in November by a new panel of judges who ordered him executed for apostasy. In February 2016, an appeals court quashed the death sentence and issued a new verdict of eight years in prison and 800 lashes to be administered on 16 occasions. According to his lawyer, Fayadh also must renounce his poetry in Saudi state media.

In June 2015, the Saudi Supreme Court upheld Saudi blogger Raif Badawi's sentence of 10 years in prison, 1,000 lashes, and a fine of 1 million SR (US\$266,000) for, among other charges, insulting Islam and religious authorities. The sentence called for Badawi – the founder and editor of

a Web site that served as an online forum for diverse views to be expressed freely – to be lashed 50 times a week for 20 consecutive weeks. On January 9, 2015, Badawi received his first set of 50 lashes. Immediately after the flogging was carried out, several governments, including the United States, USCIRF, and numerous international human rights groups and individuals condemned the implementation of the sentence. Badawi has not received additional floggings, due in part to the international outrage and in part to a medical doctor’s finding that he could not physically endure more lashings. At the end of the reporting period, Badawi continued to languish in prison, where he has been held since June 2012. In July 2014, Badawi’s counsel, Waleed Abu al-Khair, was sentenced by a Specialized Criminal Court to 15 years in jail on various spurious charges related to his work as a human rights defender. In January 2015, his verdict was upheld.

Arrests and prosecutions for witchcraft and sorcery – a crime punishable by death – continued during the reporting period. According to the State Department and human rights groups, some individuals have been executed in recent years. The CPVPV has special units throughout the country to combat sorcery and witchcraft.

Islamic religion on which this country is based.” While Saudi Shari’ah courts already permit judges to criminalize various forms of peaceful dissent, the new law provides an additional mechanism to classify as terrorism actions considered blasphemous or advocating atheism. Since the law went into effect, some human rights defenders and atheists reportedly have been charged and convicted under the law. For example, in February 2016, a Saudi man reportedly was convicted of denying the existence of God and ridiculing religious beliefs on Twitter and sentenced to 10-years’ imprisonment, 2,000 lashes, and a US\$5,300 fine.

### **Abuses by the CPVPV**

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), which reports to the King and is not subject to judicial review, officially enforces public morality and restricts public religious manifestations and practice by both Saudis and non-Saudis. In recent years, the public presence of the CPVPV has diminished in parts of the country. Nevertheless, in 2015, members of the CPVPV periodically overstepped their authority, including harassing and arresting non-Muslim expatriate workers holding religious services in private homes.

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### **2014 Law Classifies Blasphemy, Advocating Atheism as Acts of Terrorism**

Saudi Arabia’s 2014 counterterrorism law, the Penal Law for Crimes of Terrorism and its Financing, and a series of subsequent royal decrees create a legal framework that criminalizes as terrorism virtually all forms of peaceful dissent and free expression, including criticizing the government’s interpretation of Islam or advocating atheism. Under the new law, which went into effect in February 2014, a conviction could result in a prison term ranging from three to 20 years. The Interior Ministry’s March 2014 regulations state that, under the new law, terrorism includes “[c]alling for atheist thought in any form, or calling into question the fundamentals of the

In 2013, a law was passed limiting the jurisdiction of the CPVPV. 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, its members have been accused over the past year of beating, whipping, detaining, and otherwise harassing individuals. USCIRF continues to call for the dissolution of the CPVPV.

### **Improvements in Saudi Textbooks, Yet Continued Dissemination of Intolerant Materials**

In 2014, the Saudi Embassy in Washington, DC provided USCIRF most textbooks used in public schools

in the Kingdom during the 2013-2014 school year. After an analysis of some of the relevant religious textbooks that had previously contained inflammatory language advocating hatred and violence, USCIRF found that there were improvements concerning the removal of intolerant content. USCIRF subsequently requested seven additional textbooks, which it had not received by the end of the reporting period. In January 2016, Saudi officials claimed that some of the requested high school-level textbooks were still in the process of being revised. In its annual international religious freedom report released in October 2015, the State Department found that the Saudi government had not completed its multi-year project to remove objectionable content from textbooks and that intolerant materials remained, “including directives to kill ‘sorcerers’ and socially exclude infidels. . .”

## U.S. Policy

Despite a series of challenges in recent years, U.S.-Saudi relations remain close. Since 2010, the U.S. government has notified Congress of more than \$100 billion in proposed arms sales to the Kingdom, and, since March 2015, the United States has provided weapons, logistical, and other support for Saudi operations in Yemen. For years, the U.S. government’s reliance on the Saudi government for cooperation on counterterrorism, regional security, and energy supplies has limited its willingness to press the Saudi government to improve its poor human rights and religious freedom record.

During the past year, shared concerns over Islamist terrorism, particularly advances by ISIL, and Iranian regional ambitions provided a renewed impetus for increased strategic cooperation. Since 2014, Saudi forces have participated in some coalition strikes on ISIL

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In recent years, a Saudi royal decree banned the financing outside Saudi Arabia of religious schools, mosques, hate literature, and other activities that support religious intolerance and violence toward non-Muslims and non-conforming Muslims. Nevertheless, some literature, older versions of textbooks, and other intolerant materials reportedly remain in distribution in some countries despite the Saudi government’s policy that it would attempt to retrieve previously-distributed materials that teach hatred toward other religions and, in some cases, promote violence. For example, some of the older books justified violence against apostates, sorcerers, and homosexuals, and labeled Jews and Christians “enemies of the believers;” another high school textbook presented the “Protocols of the Elders of Zion” – a notorious forgery designed to promote hostility toward Jews – as an authentic document. Concerns also remain about privately-funded satellite television stations in the Kingdom that continue to espouse sectarian hatred and intolerance.

targets in Syria. Critics have expressed concerns that the United States has been reluctant to jeopardize important bilateral initiatives by pushing publicly for political and human rights reforms. Nevertheless, during the reporting period, the State Department issued some public statements raising human rights and religious freedom issues, including expressing concern about the execution of Shi’a cleric Nimr al-Nimr in January 2016 and urging the Saudi government to cancel the flogging against blogger Raif Badawi and to review his case and sentence in January 2015.

According to the State Department, U.S. policy seeks to press the Saudi government “to respect religious freedom, eliminate discrimination against religious minorities, and promote respect for non-Muslim religious belief.” The U.S. government continues to encourage the Saudi government’s efforts to remove intolerant passages advocating violence in textbooks, and it continues to include Saudi officials in exchange and U.S. visitor programs that promote religious tolerance and interfaith dialogue. According to reports, the

number of Saudi students pursuing higher education in the United States increased ten-fold from 2000 to 2015. In 2015, Saudi officials stated that there were more than 125,000 Saudis in the United States as part of their scholarship program and that plans were in place to expand Saudi government financial support to cover all Saudi students studying in the United States.

In September 2004, consistent with USCIRF's recommendation, the State Department designated Saudi Arabia a CPC for the first time. In 2005, a temporary waiver was put in place, in lieu of otherwise legislatively mandated action as a result of the CPC designation, to allow for continued diplomatic discussions between the U.S. and Saudi governments and "to further the purposes of IRFA." In July 2006, the waiver was left in place indefinitely when the State Department announced that ongoing bilateral discussions with Saudi Arabia had enabled the U.S. government to identify and confirm

- Guarantee and protect the right to private worship for all, including non-Muslims who gather in homes for religious practice, and the right to possess and use personal religious materials.
- Ensure that members of the CPVPV do not detain or conduct investigations of suspects, implement punishment, violate the sanctity of private homes, conduct surveillance, or confiscate private religious materials; and hold accountable any CPVPV officials who commit abuses.
- Bring the Kingdom's rules and regulations into compliance with human rights standards.

On July 18, 2014, the State Department re-designated Saudi Arabia a CPC but kept in place a waiver of any sanctions citing the "important national interest of the United States," pursuant to section 407 of IRFA.

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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." USCIRF has concluded that full implementation by the Saudi government of these policies would diminish significantly the government's institutionalized practices that negatively affect freedom of religion and belief. Some of the measures that Saudi Arabia confirmed as state policies included the following:

- Halt the dissemination of intolerant literature and extremist ideology within Saudi Arabia and around the world.
- 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 expected to complete in one to two years [no later than July 2008].

## **Recommendations**

USCIRF urges the U.S. government to address religious freedom issues actively and publicly with the Saudi government and to report openly on the government's success or failure to implement genuine reforms, in order to ensure that the Saudi government's initiatives will result in substantial, demonstrable progress. Specifically, USCIRF recommends that the U.S. government should:

- Continue to designate Saudi Arabia a CPC, no longer issue a waiver, and press the Saudi government to take concrete action towards completing reforms confirmed in July 2006 in U.S.-Saudi bilateral discussions; provide a detailed report on progress and lack of progress on each of the areas of concern;
- Press for at the highest levels and work to secure the immediate release of Raif Badawi, his counsel Waleed Abu al-Khair, and other prisoners of conscience;

- Press the Saudi government to end state prosecution of individuals charged with apostasy, blasphemy, and sorcery;
- Undertake and make public an annual assessment of the relevant Ministry of Education religious textbooks to determine if passages that teach religious intolerance have been removed;
- Press the Saudi government to publicly denounce the continued use around the world of older versions of Saudi textbooks and other materials that promote hatred and intolerance, to include the concepts of tolerance and respect for the human rights of all persons in school textbooks, and to make every attempt to retrieve previously distributed materials that contain intolerance;
- Press the Saudi government to continue to address incitement to violence and discrimination against disfavored Muslims and non-Muslims, including by prosecuting government-funded clerics who incite violence against Muslim minority communities or individual members of non-Muslim religious minority communities;
- Press the Saudi government to ensure equal rights and protection under the law for Shi'a Muslim citizens;
- Press the Saudi government to remove the classification of advocating atheism and blasphemy as terrorist acts in its 2014 counterterrorism law;
- Include Saudi religious leaders, in addition to government officials, in exchanges and U.S visitor programs that promote religious tolerance and interfaith dialogue; and
- Work with the Saudi government to codify non-Muslim private religious practice, and permit foreign clergy to enter the country to carry out worship services and to bring religious materials for such services.