

Amnesty International Report 2016/17 - The State of the World's Human Rights - Saudi Arabia

The authorities severely curtailed the rights to freedom of expression, association and assembly, detaining and imprisoning critics, human rights defenders and minority rights activists on vaguely worded charges. Torture and other ill-treatment of detainees remained common, particularly during interrogation, and courts continued to accept torture-tainted “confessions” to convict defendants in unfair trials. Women faced discrimination in both law and practice and were inadequately protected against sexual and other violence. The authorities continued to arrest, detain and deport irregular migrants. Courts imposed many death sentences, including for non-violent crimes and against juvenile offenders; scores of executions were carried out. Coalition forces led by Saudi Arabia committed serious violations of international law, including war crimes, in Yemen.

Background

Saudi Arabia faced growing economic problems due to the fall in world oil prices and the cost of its continued military intervention in the armed conflict in Yemen. This was reflected by reduced state spending on social welfare and on construction leading to the laying off of thousands of mostly south Asian migrant workers. In April, the authorities launched “Vision 2030”, a plan to diversify the economy and end the country’s dependence on income from fossil fuel extraction. In September, the Cabinet announced cuts to government ministers’ salaries and bonuses paid to state employees.

Relations between Saudi Arabia and Iran continued to deteriorate, exacerbated by their support for opposing sides in the region’s conflicts. Following the government’s execution of prominent Shi’a Muslim Sheikh Nimr al-Nimr and others on 2 January, protesters stormed the Saudi Arabian embassy in Iran’s capital, Tehran, and set it alight, prompting Saudi Arabia to sever diplomatic relations with Iran and expel Iranian diplomats. The Tehran authorities prohibited Iranians from attending the annual Hajj pilgrimage to Mecca in Saudi Arabia.

On 4 July, suicide bombers carried out apparently co-ordinated attacks on one of Islam’s holiest sites in Medina, the US Consulate in Jeddah, and a Shi’a mosque in Qatif, killing four people.

In September, the US Congress voted by a large majority to overturn US President Barack Obama’s veto of the Justice Against Sponsors of Terrorism Act (JASTA), opening the way for families of those killed in the 11 September 2001 terrorist attacks in the USA to seek damages from the Saudi Arabian government.

In October, the UN Committee on the Rights of the Child urged the government to immediately halt the execution of death row prisoners sentenced for crimes allegedly committed when they were under 18; to immediately release all children sentenced to death after unfair trials and to commute the sentences of others; and to “unambiguously” prohibit by law the sentencing to death of offenders aged under 18 at the time of their alleged crime.

Armed conflict in Yemen

Throughout the year the Saudi Arabia-led military coalition supporting the internationally recognized government in Yemen continued to bomb areas controlled or contested by Huthi forces and their allies in Yemen, killing and injuring thousands of civilians. Some attacks were indiscriminate, disproportionate or directed against civilians and civilian objects including schools, hospitals, markets and mosques. Some coalition attacks amounted to war crimes. The coalition used armaments supplied by the US and UK governments, including internationally banned cluster bombs that are inherently indiscriminate and pose a continuing risk to civilians because of their frequent failure to detonate on initial impact. In December the coalition admitted that its forces had used UK-manufactured cluster munitions in 2015 and stated that it would not do so in the future. The US and UK governments continued to assist the coalition with arms, training, intelligence and logistical support, despite the serious violations of international law committed by its forces in Yemen.

In June the UN Secretary-General removed Saudi Arabia from a list of states and armed groups responsible for serious violations of children's rights during conflict after the government threatened to cut its funding support for key UN programmes.

Huthi forces and their allies repeatedly carried out indiscriminate cross-border attacks, shelling civilian populated areas such as Najran and Jazan in southern Saudi Arabia, killing and injuring civilians and damaging civilian objects.

Freedoms of expression, association and assembly

The authorities maintained tight restrictions on freedom of expression and repressed dissent. They harassed, arrested and prosecuted critics, including writers and online commentators, political and women's rights activists, members of the Shi'a minority, and human rights defenders, imprisoning some after courts sentenced them to prison terms on vague charges.

In March, the Specialized Criminal Court (SCC) in the capital, Riyadh, sentenced journalist Alaa Brinji to five years in prison and a fine, followed by an eight-year travel ban, for comments he posted on Twitter.

Also in March, the SCC sentenced writer and Islamic scholar Mohanna Abdulaziz al-Hubail to six years' imprisonment followed by a six-year travel ban after convicting him in his absence on charges that included "insulting the state and its rulers", inciting and participating in demonstrations, and "being in solidarity with the detained members" of the Saudi Civil and Political Rights Association (ACPRA) held as prisoners of conscience. The SCC also ordered the closure of his Twitter account.

The authorities did not permit the existence of political parties, trade unions or independent human rights groups, and continued to arrest, prosecute and imprison those who set up or participated in unlicensed organizations.

All public gatherings, including peaceful demonstrations, remained prohibited under an order issued by the Ministry of the Interior in 2011. Some who previously defied the ban were arrested and

imprisoned. Strikes remained extremely rare but in September foreign and Saudi Arabian nationals employed at a private hospital in Khobar took strike action to protest against months of unpaid wages.

Human rights defenders

The authorities continued to arrest, detain and prosecute human rights defenders on vague and overly broad charges using anti-terrorism legislation and laws designed to stifle peaceful criticism. Those detained, on trial or serving prison sentences included several members of ACPRA, an independent human rights organization formed in 2009, which the authorities closed down in 2013.

In May the SCC sentenced Abdulaziz al-Shubaily, one of ACPRA's founders, to eight years in prison followed by an eight-year travel ban and a ban on communicating through social media. He was convicted of defaming and insulting senior judges under the anti-cybercrime law. Other charges against him included "communicating with foreign organizations" and providing information on human rights violations to Amnesty International.

In October, Mohammad al-Otaibi and Adbullah al-Attawi, both co-founders of the Union for Human Rights, were brought to trial before the SCC. Both men were presented with a list of charges related to their human rights work including, among other things, "participating in setting up an organization and announcing it before getting an authorization" and "dividing national unity, spreading chaos and inciting public opinion".

Scores of other activists and human rights defenders continued to serve lengthy prison sentences on similar charges based on their peaceful exercise of their human rights.

In January, security officials briefly detained human rights defender Samar Badawi in connection with her activities in campaigning for the release of her former husband, the imprisoned human rights lawyer Waleed Abu al-Khair.

Counter-terrorism and security

The authorities said that the security forces had rounded up and detained hundreds of people they suspected of terrorism-related offences, including alleged supporters and affiliates of the armed groups Islamic State and al-Qa'ida, but provided few details. Some detainees were held in the Mohammed bin Naif Counselling and Care Centre, a centre designated for "terrorists" and those "following deviant thought".

The US authorities transferred nine detainees – all Yemeni nationals – from their Guantánamo Bay detention facility in Cuba to Saudi Arabia in April.

Human rights defenders and those who expressed political dissent continued to be equated to "terrorists". After being released from al-Ha'ir prison in Riyadh where he served a four-year term, Mohammed al-Bajadi, a human rights defender and ACPRA founder was held for a further four months in the Mohammed bin Naif Counselling and Care Centre where he received weekly religious and psychological "counselling sessions".

In February the SCC began trying 32 defendants, including 30 members of the Shi'a minority, on charges of spying for, and passing military intelligence to Iran and supporting protests in Qatif in the Eastern Province, where Shi'a form a majority of the population. The prosecution sought the death penalty against 25 of the defendants. In December, the SCC sentenced 15 of the defendants to death following an unfair trial. Another 15 received prison terms ranging from six months to 25 years, and two were acquitted.

In November, 13 women were put on trial at the SCC on charges relating to their participation in protests in the city of Buraydah.

Arbitrary arrests and detentions

In April, the Council of Ministers issued new regulations reducing the powers of the Committee for the Promotion of Virtue and Prevention of Vice, Saudi Arabia's religious police. In particular, the regulations barred the religious police from making arrests and from following suspects and requiring the suspects to produce identification.

The authorities continued to carry out numerous arbitrary arrests and held detainees for prolonged periods without referring them to a competent court, although the Law of Criminal Procedures requires that all detainees be referred to a court within six months. Detainees were frequently held incommunicado during interrogation and denied access to lawyers, undermining their right to fair trial and putting them at increased risk of torture and other ill-treatment.

In September, security authorities arbitrarily arrested human rights activist Salim al-Maliki after he published video footage on Twitter of border guards evicting tribal residents of the Jazan region, close to Saudi Arabia's border with Yemen. He was held incommunicado for the first six weeks and remained in detention at the end of the year.

Torture and other ill-treatment

Security officials continued to torture and otherwise ill-treat detainees with impunity, particularly to extract "confessions" for use as evidence against them at trial. Courts frequently convicted defendants on the basis of contested pre-trial "confessions".

The lawyer representing most of the 32 defendants accused of spying for Iran said that they were forced to "confess". After arrest, they were detained incommunicado and denied access to their families and lawyers for three months; some were subjected to prolonged solitary confinement.

Cruel, inhuman or degrading punishment

The authorities continued to impose and administer corporal punishments that violate the prohibition of torture and other ill-treatment, particularly floggings. In February, the General Court in Abha sentenced Palestinian poet and artist Ashraf Fayadh to 800 lashes and eight years' imprisonment when commuting his death sentence for apostasy on account of his writing in 2015.

Discrimination – Shi'a minority

Saudi Arabia's Shi'a Muslim minority continued to face entrenched discrimination that severely limited their access to government services and state employment and their freedom of religious expression. The authorities continued to arrest, detain and sentence Shi'a activists to prison terms or death after unfair trials before the SCC.

In June, the SCC sentenced 14 members of the Shi'a minority to death after convicting them on charges that included shooting at security officials, inciting chaos and participating in demonstrations and riots. Nine others received prison terms and one was found not guilty.

Women's rights

Women and girls continued to face discrimination in law and in practice, and were inadequately protected against sexual and other forms of violence. Women remained legally subordinate and inferior in status to men in relation to marriage, divorce, child custody and inheritance, and could not access higher education, take paid employment or travel abroad without the approval of their male guardian. Women also remained banned from driving.

The government's "Vision 2030" economic reform plan included goals to increase the participation of women in Saudi Arabia's workforce from 22% to 30% and "invest" in their productive capabilities so as "to strengthen their future and contribute to the development of our society and economy". No legal reforms or other measures needed to achieve these aims appeared to have been initiated by the end of the year, although the Minister of Justice ruled in May that women must be given a copy of their marriage certificate, which is required in case of legal disputes between spouses. The Shura Council debated a proposed law that, if enacted, would allow women to obtain a passport without the approval of a male guardian.

In August, an online Twitter campaign entitled "Saudi women demand the end of guardianship" prompted tens of thousands of women to express opposition to the system of male guardianship. Activists reported that by September an estimated 14,000 Saudi Arabian women had signed an online petition calling on King Salman to abolish the system.

On 11 December, Malak al-Shehri was detained and interrogated after she posted a picture of herself on social media without an *abaya* (full-length garment). She was released on 16 December, but her legal status remained unclear.

Migrant workers' rights

The authorities maintained their crackdown on irregular migrants, arresting, detaining and deporting hundreds of thousands of migrant workers.

Tens of thousands of migrant workers were laid off without having been paid for months, after the government cut spending on contracts with construction and other companies. Indian, Pakistani, Filipino and other foreign nationals were left stranded without food, water or exit visas; some took to the streets to block roads in protest.

Death penalty

Courts continued to impose death sentences for a range of crimes, including non-violent drugs offences which, under international law, should not incur the death penalty. Many defendants were sentenced to death after unfair trials by courts that convicted them without adequately investigating their allegations that their “confessions” were coerced, including with torture.

On 2 January the authorities carried out 47 executions, reportedly 43 by beheading and four by shooting, in 12 locations around the country.

Those facing execution included juvenile offenders, including four Shi’a men sentenced to death for participating in protests in 2012 when they were under 18.

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