

**This report documents human rights issues of concern to Amnesty
International during 2008
Covering events from January - December 2008**

SAUDI ARABIA

Kingdom of Saudi Arabia

Head of state and government: King Abdullah Bin ‘Abdul ‘Aziz Al-Saud

Death penalty: retentionist

Population 25.3 million

Life expectancy 72.2 years

Under-5 mortality (m/f) 26/17 per 1,000

Adult literacy 82.9 per cent

Thousands of people continued to be detained without trial as terrorism suspects and hundreds more were arrested. In October, the government announced that more than 900 would be brought to trial. Human rights activists and peaceful critics of the government were detained or remained in prison, including prisoners of conscience. Freedom of expression, religion, association and assembly remained tightly restricted. Women continued to face severe discrimination in law and practice. Migrant workers suffered exploitation and abuse with little possibility of redress. Refugees and asylum-seekers were not adequately protected. The administration of justice remained shrouded in secrecy and was summary in nature. Torture and other ill-treatment of detainees were widespread and systematic, and carried out with impunity. Flogging was used widely as a main and additional punishment. The death penalty continued to be used extensively and in a discriminatory manner against migrant workers from developing countries, women and poor people. At least 102 people were executed .

Background

The government increased its co-operation with UN human rights mechanisms. In January a government delegation appeared for the first time before the UN Committee considering Saudi Arabia's first ever report on its implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In February, the UN Special Rapporteur on violence against women carried out a first ever visit to Saudi Arabia .

Prisoners of conscience

Human rights activists and peaceful critics of the state were arrested and imprisoned. Others detained in previous years remained in prison .

Dr Matrouk al-Faleh, an academic and human rights activist, was detained without charge or trial at al-Ha'ir Prison in Riyadh, and denied access to a lawyer, following his arrest in May. The authorities gave no reason for his arrest but it occurred shortly after he wrote an article criticizing the harsh conditions in which two brothers, Dr Abdullah al-Hamid and Issa al-Hamid, both prisoners of conscience, were being held in Buraida Prison. The al-Hamid brothers were serving six- and four-month prison terms respectively, imposed after they were convicted of "incitement to protest" in 2007 for supporting a peaceful protest outside Buraida Prison by relatives of untried political detainees. They were both released after completing their sentences .

Shaikh Nasser al-'Ulwan, arrested in 2004 or 2005 in Buraida reportedly for refusing to issue a fatwa (edict), continued to be detained without charge or trial or any effective means of redress. He was reported to have been held incommunicado and in solitary confinement for much of the time .

Prisoner of conscience

Fouad Ahmad al-Farhan, an internet blogger arrested in December 2007 apparently for criticizing the government, was held incommunicado at Dhahban Prison, Jeddah, until his release in April .

Counter-terror and security

The authorities invoked a wide range of repressive measures in the name of security and combating terrorism. The law prescribes harsh punishments for

terrorism-related offences yet is vague and broadly drawn, encompassing the peaceful exercise of freedom of expression and other legitimate activities. This reality was exacerbated by a secretive judiciary which fostered impunity for perpetrators of human rights violations .

The authorities detained hundreds of people on security grounds, including people forcibly returned from Iraq, Pakistan and Yemen. Thousands of others detained in previous years remained in prison under conditions of virtual secrecy. Most had been held incommunicado for long periods for interrogation and denied access to lawyers, medical assistance and family visits for months or years. None had been allowed to challenge the legality of their detention. The government stated that many of the detainees were being held for “re-education”. In April the authorities released 32 former inmates at Guantánamo Bay, who had been returned to Saudi Arabia by the US authorities in 2007 and detained; at least 24 others were still being held at the end of the year .

Eight Bahraini nationals were arrested on 28 February at a checkpoint during a short visit to Saudi Arabia. They were held incommunicado and in solitary confinement until 12 July, when they were released without charge or trial .

The tiny minority of security detainees brought to trial faced grossly unfair and secret proceedings. These included brief sessions before a panel of three inquisitors, who may not have been judges, who questioned detainees about confessions or other statements they had made under interrogation while held incommunicado. Those convicted reportedly were sentenced to flogging in addition to prison terms .

In October the government announced that a Special Criminal Court (SCC) was being established to try more than 900 detainees on capital charges, including murder and causing bomb explosions, but provided no other details. The defendants were expected to include eight men shown on Saudi Arabian television in 2007 “confessing” to planning terrorist attacks, a capital offence. All eight had been detained incommunicado for long periods and may have been tortured. Five are Saudi Arabian nationals: Abdullah and Ahmed Abdel Aziz al-Migrin, Khaled al-Kurdi, Mohamed Ali Hassan Zein and ‘Amir Abdul Hamid Al-Sa’di; two are Chadian nationals, Ali Issa Umar and Khalid Ali Tahir; and one, Muhammad Fatehi Al-Sayyid, is an Egyptian national. It was unclear at the end of the year whether any trials before the SCC had started .

Some prisoners convicted of security offences continued to be held after serving their sentence .

Majed Nasser al-Shummari completed a three-year prison sentence in 2005 but remained in jail. He was convicted after a secret trial in Riyadh, during which he had no legal assistance, of charges related to a visit he had made to Afghanistan .

Violence and discrimination against women and girls

Women continued to face severe discrimination in law and practice and were inadequately protected against domestic and other violence despite greater government co-operation with international bodies concerned with women's rights. Among other concerns, women remained subordinate to men under family law, were denied equal employment opportunities with men, remained banned from driving vehicles or travelling alone, and Saudi Arabian women married to non-Saudi nationals, unlike Saudi Arabian men, could not pass on their nationality to their children .

Following her visit, the UN Special Rapporteur on violence against women noted progress in women's access to education but said she had received many complaints about discrimination and violence against women, including by the religious police .

The CEDAW Committee, reviewing Saudi Arabia's implementation of that treaty, expressed concern that the concept of male guardianship over women (mehrem), as applied, severely limited women's rights, notably in relation to marriage, divorce, child custody, inheritance, property ownership, and choices about residency, education and employment. It also noted a high incidence of domestic violence and lack of prosecutions. The government said that a law against domestic violence was being drafted.

In August, the National Human Rights Commission, an official body, urged the government to take measures to end the practice of child marriage. In September it announced that it was opening a women's branch in Riyadh to investigate abuses against women and children .

Migrants' rights

The rights of migrant workers were widely abused with impunity. Some workers staged protests over unpaid salaries, poor living and working conditions, and failure by employers to renew visas .

Many migrant domestic workers, mostly women, were kept in highly abusive conditions, being made to work up to 18 hours every day, in some cases for little or no pay. Domestic workers have no protection under Saudi Arabian labour law and have little possibility in practice of obtaining redress against abusive or exploitative employers .

In July airport officials were reported to have prevented the employer of Ela Adoul Madouky, an Indonesian domestic worker, from forcing her onto a flight to her home country because she was evidently ill and needed hospital treatment. Doctors said they had treated her earlier for severe malnutrition and external injuries, including burns and cuts. She said her employers had beaten her and given her only bread to eat .

Refugees and asylum-seekers

The authorities violated the rights of asylum-seekers and refugees. Some were held as virtual prisoners. Others were forcibly returned to countries where they were at risk of serious human rights violations .

Around 80 Iraqis remained in a fenced and guarded camp near Rafha; they had fled Iraq in 1991. None had been granted asylum or the chance to live a normal life in Saudi Arabia .

Some 28 Eritreans who sought asylum in Saudi Arabia in 2002 remained in detention near Jizan city. They continued to be denied access to the courts .

Torture and other ill-treatment

Torture and other ill-treatment continued to be widespread and committed with impunity. Commonly cited methods included severe beatings with sticks, electric shocks, suspension from the ceiling, punching, sleep deprivation and insults .

In March, three Chadian men – Muhammad Hamid Ibrahim Sulayman, Hassan Bashir and Muhammad Salih – were reported to have been convicted of theft and sentenced to have their right hands amputated on the basis of confessions allegedly made after they were beaten while held in prolonged incommunicado detention .

A former detainee held without charge in various prisons between 2003 and 2006 told Amnesty International in 2008 that he had been given electric shocks, held in

solitary confinement for four months, and shackled for three weeks in a small cell without air conditioning during extremely hot weather .

Cruel, inhuman and degrading punishments

Flogging is mandatory for a number of offences and continued to be used frequently as a main and additional punishment by courts. Sentences of amputation were imposed for theft .

"At least 102 men and women, 39 of them foreign nationals, were executed in 2008 ".

In January, following widespread campaigning locally and internationally, the flogging sentences imposed on a rape survivor referred to as the “girl from al-Qatif” and her male companion were dropped as a result of a royal pardon .

In February, Bilal Bin Muslih Bin Jabir al-Muwallad and Ahmad Hamid Muhammad Sabir, aged 15 and 13 respectively at the time of the crimes, were sentenced to receive 1,500 and 1,250 lashes. They were among seven males convicted of robberies and assaults in Madina; the five others were sentenced to death (see below). The case remained before the Court of Cassation in Makkah for review at the end of the year .

Death penalty

The death penalty continued to be applied extensively after summary and secret trials. Defendants are rarely allowed legal assistance and can be convicted solely on the basis of confessions obtained under duress or deception. As in previous years, capital punishment was used disproportionately against the poor, including many migrant workers from Asia and Africa, and women. In April, Amnesty International received secretly filmed footage of the public beheading of a Jordanian man convicted of drugs offences .

At least 102 men and women, 39 of them foreign nationals, were executed in 2008. Many were executed for non-violent offences, including drug offences, “sodomy”, blasphemy and apostasy. Most executions were held in public .

In January, the parents of Moeid bin Hussein Hakami, who was beheaded in 2007, took the unusual and brave step of lodging a complaint with the authorities about the execution of their son. He was aged 13 at the time of the crime and was 16 when beheaded. The parents were not told in advance of his execution and, according to reports, they were not informed of his place of burial .

In February, five young men were sentenced to death in Madina for robberies and assaults, offences the judge deemed to amount to “corruption on earth”. All had been held incommunicado after their arrest in 2004 and allegedly beaten to force them to confess. Two of them – Sultan Bin Sulayman Bin Muslim al-Muwallad, a Saudi Arabian national, and ‘Issa Bin Muhammad ‘Umar Muhammad, a Chadian national – were aged 17 at the time of the alleged offences .

In February, a court considered the appeal of Rizana Nafeek, a young Sri Lankan domestic worker, who was sentenced to death in 2007 for a murder committed when she was 17. The outcome of the appeal was not known .

In April, 17-year-old Sultan Kohail was sentenced to 200 lashes and one year in prison by a court without jurisdiction to impose the death penalty. The charge related to the death of a boy as a result of a schoolyard brawl. Following an appeal, the case was referred for retrial before another court, which had tried his elder brother on the same charge and sentenced him to death. This raised the possibility that Sultan Kohail could also be sentenced to death although he was under 18 at the time of the crime .

In December Saudi Arabia voted against a UN General Assembly resolution calling for a worldwide moratorium on executions .

Amnesty International visits

Amnesty International again sought access to visit Saudi Arabia to investigate human rights, but the government did not permit this.