

1979
Human
Rights
Report

SAUDI ARABIA

Saudi Arabia is an Islamic monarchy in which religious law forms the basis of the legal system and Islamic precepts and traditions play a major role in the society. By origin tribal, Saudi Arabian society is basically egalitarian and individualistic. Saudis have a finely drawn and intensely felt traditional sense of justice.

1. Respect for the Integrity of the Person, Including Freedom from:

a. Torture

Torture is not sanctioned or, to the best knowledge of the Department of State, practiced in Saudi Arabia. There are occasional reports of torture but none has been confirmed.

b. Cruel, Inhuman or Degrading Treatment or Punishment

Islamic law, which is the constitution of Saudi Arabia, sanctions the practice of severing the hand of convicted thieves. This punishment is not meted out to first or second offenders but only to clear recidivists, and in fact there have been few instances of such punishment during the past several years. Capital punishment by public beheading is provided by law for murder, adultery and other crimes considered heinous. Public flogging under strict controls is occasionally used as a punishment for lesser crimes by the Saudi courts. Prisoners live under difficult conditions, particularly during the hot season, but are not deliberately mistreated.

c. Arbitrary Arrest or Imprisonment

Arbitrary arrest and detention are not condoned or practiced by the Government. There is no evidence

that individuals are presently imprisoned in Saudi Arabia for their political beliefs. In some cases, foreigners accused of breaking the law are deported and prohibited from reentering the Kingdom.

d. Denial of Fair Public Trial

Saudi Arabia's judicial system is based directly on Islamic law. The accused is tried before qualified and impartial judges. Trials are open to the public, including foreign consular officials, except when the security of the state is at issue, as in the case of the assassin of King Faisal in 1976, or in cases of alleged treason. Closed trials have occurred rarely in recent years. Extended police investigations and administrative deficiencies frequently lead to trial delay during which time, in criminal cases, the accused normally remains in jail. There is, however, a recognized, informal system of releasing prisoners on bond when they are charged with minor offenses. Should parties in a criminal trial be dissatisfied with the verdict, they have the right to appeal to the higher court as well as the King.

e. Invasion of the Home

Saudi law and custom require respect for privacy. However, Saudi law enforcement authorities do not hesitate to search premises without a warrant in cases where they have reason to believe illegal activities are taking place. Such cases are not common and usually relate to smuggling of alcohol or pornographic materials.

2. Governmental Policies Relating to the Fulfillment of Such Vital Needs as Food, Shelter, Health Care and Education

The Saudi Government is using its oil revenues for the benefit of the poor. The annual budget of Saudi Arabia, which in 1978 was \$38 billion, is committed to major defense, infrastructure, and industrial projects

as well as a rapidly expanding social services sector. Per capita income is approximately \$10,000. There are disparities of income but all Saudi nationals are guaranteed employment and provided housing. In addition, free education and health care facilities are available to all citizens and non-citizen residents. If adequate medical care is not available within the Kingdom, the patient and one family escort are flown abroad at government expense. A real estate development fund which provides interest-free 25-year loans has been created to finance the acquisition of homes by Saudi citizens. The Government subsidizes basic foodstuffs. In addition to its concern for the welfare of its own people, the Saudi Government is a major source of foreign aid to poorer countries.

3. Respect for Civil and Political Liberties, Including:

a. Freedom of Thought, Speech, Press, Religion and Assembly

Saudis are generally free to say whatever they wish. Indeed, citizens are invited to take their grievances to higher authority. Although there is no express prohibition on assembly, any meeting of a political nature would fall under the more general prohibition against political activity and organizations. The press is not censored prior to publication, but it does keep within bounds it presumes are acceptable to the Government. Thus, criticism of policies and senior officials in the press is rare. There is frequent criticism of the negative effect of domestic policies, particularly in the economic sphere. The press often writes of the failure of middle-level officials properly to discharge their duties. The foreign press is censored prior to distribution in order to excise pictures and statements thought offensive to the traditional Islamic values of Saudi society.

Unions or other forms of labor organizations are

prohibited. Official institutions have been established to protect the interests of labor and hear grievances. Islam is the established religion of Saudi Arabia and Saudis are not permitted to practice other religions, although non-Muslim foreigners have been able to hold private and discreet religious services.

Women in Saudi Arabia occupy a social position in keeping with conservative tradition and the sanctions of Islamic law as interpreted by the Saudis. Women are segregated from all men except close relatives. Their primary focus is on home and family. When they leave their homes they are expected to be veiled and to be accompanied by a male escort. However, more and more Saudi women are appearing in public without veils. As specified in Islamic law, wives can be easily divorced but cannot easily divorce their husbands. Divorced wives must be adequately provided for, generally by a return of the dowry. Divorce is relatively uncommon. Polygamy is sanctioned by Islam, and men can have up to four wives at a time, but this practice has become rare. Women's opportunities for employment are limited to certain occupations such as teaching and nursing where contact with men is minimal. However, enforcement of segregated employment is weakening. An increasing number of women are being educated, and a few have studied for advanced degrees abroad. In 1978 the first Saudi woman became Dean of the Riyadh Girls School and the 1978 entering class of the School of Medicine of King Abdulaziz University is comprised of seventy men and fifty women.

Civil marriage does not exist in Saudi Arabia. Muslim women are prohibited from marrying non-Muslim men, but Muslim men may marry women who are either Muslim or "people of the book" (Christian, Jewish, or Zoroastrian). Marriage between Saudis and non-Saudis is regulated by the Ministry of Interior. Saudi citizens wishing to marry a non-Saudi of any religion or nationality (except a native of one of the Persian Gulf Arab states) must first obtain permission from

that Ministry.

b. Freedom of Movement Within the Country, Foreign Travel and Emigration

Saudi males are generally free to move about the country and travel abroad. By social custom, however, the movement of women is restricted. They cannot drive cars and must obtain permission from their husband, father or guardian to travel abroad. Emigration requires the permission of the Government and is dealt with on a case-by-case basis. Few Saudis choose to live permanently outside the country.

Nearly one million foreign Muslims congregate each year for the annual Mecca pilgrimage. The security problems created by this large mass of people are enormous, and after the pilgrimage Saudis endeavor to round up all the illegal aliens who attempt to stay after their pilgrimage visas expire.

There is no tourism as such in Saudi Arabia and all visitors must have a local sponsor. Entry visas have at times been refused by Saudi authorities because of religious affiliation, but such cases are increasingly rare and generally limited to self-proclaimed atheists and other persons whom the Saudis consider to be a threat to Saudi security or its way of life.

c. Freedom to Participate in the Political Process

Saudi Arabia is an Islamic monarchy whose King is chosen by consensus of the senior members of the Royal Family. The Kingdom does not have an elected assembly and political parties are prohibited. The accessibility of officials, and the fact that any citizen has the right to redress through presentation of petition or grievance to the King at his weekly public audience or to one of several special grievance and administrative tribunals, function as restraints against arbitrary use of authority. Although the King is the head of the legal system, which in Islamic law is at

one with the political system, he may be sued in his own court.

4. Government Attitude and Record Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

To the best of our knowledge the Saudi Government has not been asked to accept outside independent investigation of alleged human rights violations.