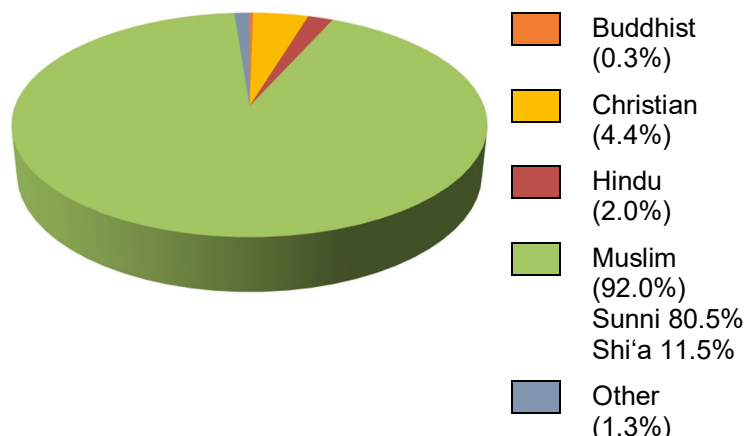


SAUDI ARABIA



Area:	Population ¹ :	Political system:	Major Language(s):
2.24 million km ²	28.7 million	Monarchy	Arabic

Legal background on Freedom of Religion and actual application

The Kingdom of Saudi Arabia is a monarchy ruled since 2015 by King Salman bin Abdulaziz Al Saud, who is both head of state and head of government. The government bases its legitimacy on its interpretation of *Shari'a* law and the 1992 Basic Law of Governance. During the reign of the late King Abdullah (2005-15), Saudi Arabia saw a gradual modernisation. Saudi Arabia owns about 25 percent of the world's known oil resources, making it one of the wealthiest countries in the region and a leading power in the Arab world.

Elections for the 248 municipal councils are held for two-thirds of a total of 3,159 seats; the government appoints the remaining third. In the 2015 elections, women were allowed to vote for the first time as well as to stand in elections around the country. According to the Ministry of Municipal and Rural Affairs, 131,188 women registered to vote (compared with 1,373,971 men), and 979 stood as candidates (5,938 candidates were men), with women winning 21 seats. The government appointed women to an additional 17 seats.

In recent years, demands for political reform have increased along with calls for social change, especially concerning women's rights, such as the right to drive and freedom of expression.

Up to 30 percent of the country's population are foreigners; most of these are Christians, Buddhists or Hindus. An unofficial census published by the Vicariate Apostolic of Northern Arabia in Bahrain, estimates that there are more than 1.5 million Roman Catholics in Saudi Arabia, mainly foreign workers from India and the Philippines. Saudi Arabia does not have official diplomatic ties with the Holy See.²

Saudi Arabia is the birthplace of Islam and home to Islam's two holiest shrines – Mecca and Medina – with the Saudi king serving as the official "Custodian of the Two Holy Mosques". According to the Basic Law, the *Qur'an* and the *Sunna* serve as the country's constitution.³ Citizens are required to be Muslims. Non-Muslims must convert to Islam before they are eligible for naturalisation. Children born to Muslim fathers are deemed to be Muslim. The country follows the strict Wahhabi interpretation of Sunni Islam and Islamic law, though the term "Wahhabism" is not used inside the country. These include restrictions on women and harsh punishments, such as public beheadings for a range of crimes and capital punishment for minors. Public promotion of Islamic teachings representing other than the official interpretation is prohibited. There is no legal

recognition or protection of religious freedom. Conversion from Islam to another religion is considered apostasy, which is legally punishable by death, as well as blasphemy against Sunni Islam. Importing and distributing non-Islamic religious materials are illegal as is proselytism for both citizens and foreigners.⁴ The construction of non-Muslim places of worship is prohibited. There is a ban on the public expression of faiths other than the official state religion. Those who fail to comply risk discrimination, harassment and detention. Non-citizens may be deported. Religious instruction based on the official interpretation of Islam is mandatory for public schools. Differing curricula for private schools are prohibited; non-Muslim students in private schools receive mandatory classes on “Islamic civilization”.

Despite the government policy of prohibiting non-Muslims from being buried in the kingdom, at least one public, non-Islamic cemetery exists according to U.S. reports.⁵ There is no legal admission of non-Muslim clerics to the country.⁶

The country’s law requests equal treatment of every defendant in accordance with the *Shari’a*. Out of the four Sunni schools of law, the Hanbali school forms the basis for the legal interpretation of the Islamic law. There is no comprehensive written penal code. Rulings and sentences diverge widely from case to case.

Civil law in Saudi Arabia does not protect human rights. During the period under review, there were frequent reports of restrictions on free speech. Discrimination with respect to employment and occupation occurred on the basis of religion as well as with regard to race, sex, gender identity and other grounds, with no labour laws or regulations prohibiting discrimination.⁷ Human rights organisations, including Amnesty International and Human Rights Watch, criticised a massive increase in death sentences and executions in 2015.

Public behaviour is monitored by the semi-autonomous Commission for the Promotion of Virtue and Prevention of Vice (CPVPV) to enforce strict adherence to the Wahhabi interpretation of Islamic norms. Members of the CPVPV have to carry official identification. Within the power of the CPVPV are investigations into certain categories of offences, such as harassment of women, witchcraft and sorcery. CPVPV may arrest and detain suspects for a brief period, but all suspects need to be accompanied by a police officer and must be transferred directly to police authorities to complete legal proceedings against them.⁸

Recently the Ministry of Islamic Affairs has intensified its efforts to stop extremist Islamic preaching by means of video surveillance of mosques and close monitoring of Facebook and Twitter. In 2015, the ministry responsible for government-employed imams issued letters to its clerics asking them to include messages on the principles of justice, equality and tolerance, and to encourage the rejection of bigotry and all forms of racial discrimination in their sermons. The country’s Grand Mufti, Sheikh Abdul Aziz Al-Asheikh, repeatedly urged young Saudi men not to run after the calls for jihad made by foreign groups.⁹

Incidents

There were reports that the CPVPV had shut down more than 10,000 Twitter accounts in 2014 over religious violations. Several arrests were reported by CPVPV spokesperson Turki Al-Shulail.¹⁰

According to the U.S. Commission on International Religious Freedom, the government “continues to prosecute, imprison, and flog individuals for dissent, apostasy, blasphemy, and sorcery”.¹¹

In common with other parts of the Muslim world, in Saudi Arabia apostasy is worthy of the death penalty but it is rarely carried out.¹²

The death sentence was handed down to the Palestinian poet Ashraf Fayadh in November 2015. His sentence was later overturned and reduced to an eight-year prison term and 800 lashes.¹³

In July 2014, a private house of foreign resident Roman Catholics was raided by the CPVPV. No arrests were made. In September 2014 the CPVPV and local police raided a private house in the Eastern Province reported to be used for Christian services by an Indian national. Allegedly 27 foreigners were arrested and Bibles as well as musical instruments were seized. The detainees were released within two days. Further arrests made during private worship services reportedly resulted in charges not explicitly related to religious observance, including gender-mixing or playing music.¹⁴

In February 2015, a court in Saudi Arabia sentenced a man to death after he filmed himself ripping up a copy of the *Qur'an*. Newspapers in Saudi reported the sentencing of the man who it reported had “denounced his faith”. The man, who was not named, was said to have uploaded a video of himself ripping the *Qur'an* and knocking it against his shoe.¹⁵

There were no statistics available concerning the religious denominations of foreigners. Rare cases of government-employed imams using anti-Jewish, anti-Christian, or anti-Shi'a language in their sermons occurred without authorisation by government authorities, according to the U.S. State Department's 2015 human rights report. There were reports of anti-Semitic materials available at government-sponsored book fairs.

The Shi'a minority continued to suffer social, legal, economic and political discrimination. The government responded in recent years with anti-discrimination courses for police and other law enforcement officers run by the King Abdulaziz Center for National Dialogue. The Shi'a continue to be significantly under-represented in national security-related positions, including within the Ministries of Defence and Interior and the National Guard, as well as within educational institutions. A very small number of Shi'as occupied high-level positions in government-owned companies and government agencies. In January 2016, Saudi Arabia's interior ministry announced that the prominent Shi'a cleric Nimr al-Nimr had been executed. He was among 47 people killed after being found guilty of terrorism offences. The Sheikh had been a vocal supporter of mass anti-government protests that had started in Saudi's Eastern Province in 2011, where a Shi'a majority claim they are marginalised. The execution sparked outrage, especially in Shi'a-led Iran where the authorities said Saudi Arabia would pay a “high price”. An Iranian foreign ministry spokesman said Saudi “supports terrorists, while executing and suppressing critics inside the foreign ministry.”¹⁶

In October 2015, a Daesh (ISIS) gunman murdered five people and injured nine others at a Shi'a meeting hall in Saudi's Eastern Province of Saihat. He was then shot dead by police. It was reported that the incident took place when worshippers were observing rituals relating to Ashoura, which marks the martyrdom of Imam Hussein bin Ali.¹⁷

In May 2015, suicide attacks killed 25 Shi'a worshippers at mosques in Dammam and Qatif. Another suicide bomber killed 15 people at a security services' mosque in Abha in August 2015. Seven were killed in two attacks against a Shi'a congregation hall in Qatif and a Shi'a mosque in Najran, both in October 2015. The government, senior clerics and social media users widely condemned the extremist attacks against the Shi'a minority. The attacks fostered cooperation between government security forces and local Shi'a volunteer security committees.

Prospects for Freedom of Religion

Apart from the one expression of Islam legitimised by the state, there is a comprehensive repression of religious life in Saudi Arabia. Cases, a number of them listed above, show that the succession of King Salman has so far failed to make a significant change for minority groups. Indeed, a 2014 law classifying blasphemy and advocating atheism as terrorism “has been used to prosecute human rights defenders and others.”¹⁸

During the rule of the late King Abdullah, the implementation of the country's principles regarding religion became more flexible and the power of the religious police was restricted for a while. The former king also reached out to non-Muslim religious leaders by visiting Pope Benedict XVI in the

Vatican and establishing a centre for inter-faith dialogue and encounter in Vienna. Under the current ruler, King Salman, efforts to halt extremist influences can be seen as well. However, the strict interpretation of Wahhabi Islam as the only permitted religion remains in place.

As one of the world's most serious violators of the right to worship, Saudi Arabia's government can be said to be responsible for "systematic, ongoing and egregious violations of religious freedom."¹⁹

¹ Immigrants of various faiths make up more than 30% of the total population according to UN data 2015

² http://www.avona.org/saudi/saudi_about.htm#.V1ARMuQ3k7Q

³ <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252945>

⁴ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dliid=238476>

⁵ U.S. State Department International Religious Freedom Report for 2014

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dliid=238476#wrapper>

⁶ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dliid=238476>

⁷ <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252945>

⁸ <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252945>

⁹ <http://www.reuters.com/article/us-saudi-security-idUSKBN0GS19M20140828>

¹⁰ <http://www.ibtimes.co.uk/saudi-arabia-10000-twitter-accounts-closed-users-arrested-over-religious-violations-1479556>

¹¹ <http://www.uscirf.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>

¹² <http://www.telegraph.co.uk/news/worldnews/middleeast/saudi-arabia/11431509/Saudi-Arabia-court-gives-death-penalty-to-man-who-renounced-his-Muslim-faith.html>

¹³ <http://www.theguardian.com/world/2016/feb/02/palestinian-poet-ashraf-fayadhs-death-sentence-overturned-by-saudi-court>

¹⁴ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dliid=238476>

¹⁵ The Telegraph 24/2/15 <http://www.telegraph.co.uk/news/worldnews/middleeast/saudi-arabia/11431509/Saudi-Arabia-court-gives-death-penalty-to-man-who-renounced-his-Muslim-faith.html>

¹⁶ BBC News 2/1/16 <http://www.bbc.co.uk/news/world-middle-east-35213244>

¹⁷ International Business Times, 17/10/15 <http://www.bbc.co.uk/news/world-middle-east-35213244>

¹⁸ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dliid=238476>

¹⁹ Ibid