

Statement on the human rights conditions in Saudi Arabia

Hala Aldosari, PhD

Scholar in women's health and activist

Non-resident Fellow, Democracy for the Arab World Now (DAWN)

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"Assessing the Human Rights Situation in Saudi Arabia"

Mr. Chairman and the distinguished members of the House,

Thank you for organizing this important hearing and for including voices from the region in your deliberation. I present my statement to you as a citizen of Saudi Arabia who was forced into exile because of my advocacy for women and human rights in Saudi Arabia. I am one of hundreds of Saudis who were forced in the last few years to seek refuge in other countries for fear of persecution because of their writings, advocacy or demands for reforms. Saudi Arabia has become one of the most repressive countries while pursuing certain legal reforms. The brutal murder and dismembering of the US-based, Saudi journalist Jamal Khashoggi at the Saudi consulate in Istanbul has revealed the extent of such repression and the regime's total disregard for the international laws and diplomatic norms.

Human rights in Saudi Arabia are severely limited under an absolute monarchical system of governance. Political parties, independent media, civil society associations and other forms of public engagement in political affairs are banned. The Royal advisory Council is made up of appointed members and has no legislative power or oversight authority. Only two third of the municipal council seats are open for election and candidates are disqualified, even if eligible for participation, if they were publicly engaged in discourse on reforms. While activists and advocates for reforms are routinely targeted and silenced by the state, the situation has become more aggressive, both in scope and severity, after the de facto ruler and Crown Prince, Mohammed Bin Salman, known as MbS, came to power in 2017.

Several waves of arrests targeting hundreds of people of all backgrounds and affiliations were conducted under the direction of a new Presidency of State Security. Religious reformers, bloggers, scholars, businessmen, statesmen, members of the ruling family and men and women activists were targeted under various pretexts of fighting political Islam, corruption or treason. The Presidency of State Security reports directly to the Royal Court, or to MbS, with the authority to utilize any institutional resources or manpower to conduct its operations or investigations without a judicial oversight. Testimonies of several detained individuals indicate an alarming use of torture to coerce confessions or to seize personal assets. Laws on counterterrorism and cybersecurity are repeatedly used to convict politically targeted individuals in trials that lack any safeguards of justice. In his 2018 mission report, the special rapporteur on the promotion and protection of human rights and fundamental freedom while

countering terrorism expressed his concern that confessions obtained under torture were admissible in the specialized criminal court; often used to try activists and advocates for reforms. He noted as well that between 2009-2015 more than 3000 allegations of torture were formally recorded but no officials were prosecuted for committing acts of torture or ill-treatment.

There are no safeguards against torture or ill-treatment as most of individuals are held incommunicado for extended periods. We have learned from some of those detained at the Ritz and the women activists that they were subjected to brutal torture and ill-treatment in secret detention facilities equipped with torture chambers. Testimonies describe the use of electric shocks, waterboarding, severe beating, starvation and sleep deprivation as common practices. Women activists were additionally subjected to sexual abuse and threats of rape and killing. One testimony of a woman activist mentioned that Khalid Bin Salman, MbS's brother and the previous ambassador to the United States was present during her torture and boasted about his own power. Saudi Al-Qahtani, a close advisor of MbS, was also present in the torture sessions of women and other individuals and he was cleared from any wrongdoings by the Saudi legal system after a sham trial of suspects for Khashoggi's killing.

Despite legal reforms to ease the restrictions on women's autonomy and mobility, women remain vulnerable to discrimination and abuse. While reforms allowing women to travel, drive or obtain national identifications without a male guardian's consent are significant, they are rendered ineffective for women without a supportive guardian. A male guardian is allowed by law to charge a woman with disobedience or absence from home if she challenges his authority or lived away from home. Once detained or imprisoned because of disobedience, a woman will not be able to exit a state run-shelter or prison without a consenting male guardian. In several cases women report being coerced into marriage to be able to leave the institution if her guardian did not approve of her release. Women activists were formally applying for a permit to establish a shelter for survivors of violence under the new associational law but were actually charged with plotting to destabilize the foundations of the state. The general prosecution considered me a "hostile element" and charged women activists with the crime of contacting me, journalists and diplomats in the country¹. Women who were released remain under probation and travel bans; they are unable to resume their jobs let alone their advocacy for rights. Many women remain imprisoned without a due process and their families are unable to advocate for their release for fear of retribution. Families who dared to publicize the details of the arrests and interrogation of their family members were placed under collective punishments of travel bans or prosecution.

Half of the workforce in Saudi are made of migrant workers who are living under the sponsorship system. The state announced some reforms to the system that would allow foreign workers to change jobs and exit the country without the consent of their sponsors. However, those who are most vulnerable to abuse by their sponsors, such as domestic workers and foreign wives who are sponsored by their husbands, are excluded from this reform. During COVID-19 pandemic, thousands of migrant workers who are forced into Saudi Arabia by the Houthi militia in Yemen were killed or detained in inhumane and unhygienic conditions without

¹ <https://www.loujainalhathloul.org/arrest-torture-charges>

access to legal redress. COVID-19 has exacerbated the conditions of foreign residents who are requested to pay high fees to renew their residency permits while facing increased unemployment or risk detained in overcrowded and unhygienic deportation centers. At NEOM, forced displacement of local tribe was actively taking place and several members of the tribe were arrested for defying the relocation order and one man was killed for refusing to leave his home. Similar reports of forced relocation appeared to be taking place at other sites as well without a legal redress.

Saudi youth are also facing higher rates of unemployment without transparency or means to effectively engage in public discourse on economic policies. The state is pursuing privatization without a comprehensive social welfare system that can protect those who are most vulnerable from its impact. Economists were reportedly arrested for voicing concerns from the lack of transparency, corruption of the royal court, or inconsideration of public interests in economic policies. During COVID-19 pandemic, the state banned all visits to prisons, and in some cases family calls. One prominent writer, Saleh Al-Shihi died of COVID-19 shortly after being released from prison and another prominent advocate for constitutional reforms, Dr. Abdullah Al-Hamid, died in his cell due to medical neglect during the same period. Under the pandemic lockdown that lasted for months, reports of domestic violence have escalated without any meaningful redress. Several prominent activists in prisons had to go on hunger strikes to receive family calls or improve the conditions of their imprisonment. The lack of response to communications with officials became the norm in the last few years.

The regime is able to indulge in such excessive abuses because of the impunity granted by its allies. It resorts to a dangerous, ultra-nationalist sentiment against any constructive criticism or entity, including the United States. There is no alternative but to impose balances and checks on the absolute power of the monarchy and that of MbS. Saudi scholars and activists in exile has launched an alternative, people's vision for reforms². The vision considers human rights and social justice as the most significant benchmarks for reforms. It calls for the immediate release of thousands of activists and prisoners of conscience, a respect for freedom of expression, the right of association and political participation, protection for women's rights and the women activists, the freedom to believe, safeguards of justice in the legal system, end of torture and death penalty, migrant and stateless rights, social justice and respect of international law in foreign interventions. We believe that only by facilitating such measures and using the leverage that the United States and other democratic nations have that such vision for reforms can be realized. A piecemeal fashion approach to reforms do not address the lack of political constraints on power and does not guarantee that those who are most vulnerable are protected by legal reforms.

Sincerely,

Hala Aldosari, PhD

² <https://peoples-vision.com/en/vision>