

SAUDI ARABIA

DISSIDENT VOICES
STIFLED IN THE EASTERN
PROVINCE

AMNESTY
INTERNATIONAL



Amnesty International Publications

First published 2012 by
Amnesty International Publications
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom
www.amnesty.org

© Amnesty International Publications 2012

Index: MDE 23/011/2012
Original Language: English
Printed by Amnesty International, International Secretariat, United Kingdom

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**AMNESTY
INTERNATIONAL**



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1. INTRODUCTION

“Every time I ask why my son is detained... what is he accused of... they say: ‘You have to wait for the investigation to finish’ ... it’s been eight months now... haram [have mercy on him], he’s a student, his future will be lost.”

A father of a 23-year-old detainee held without charge or trial. ¹

Demonstrations have been taking place in Saudi Arabia’s predominantly Shi’a Muslim Eastern Province since February 2011. Inspired in part by protests that have swept the Middle East and North Africa region over the past year, they have been accompanied by increased calls for reform in the province. The Saudi Arabian authorities have responded with repressive measures against those suspected of taking part in or supporting protests or of expressing views critical of the state.

According to Amnesty International’s information, demonstrations began in the Eastern Province town of Awwamiya in February 2011 with individuals protesting against the detention without charge or trial of three detainees, blogger Munir al-Jassas, social activist Ramzi Al Jamal, and Muhammad Al Labbad.² The three detainees were held for months in relation to calls for the rights of the Shi’a Muslim community to be respected, including their suspected participation in a sit-in in Awwamiya in March 2009 to protest assaults by the religious police against Shi’a Muslim Saudi Arabian pilgrims in Medina that took place in February 2009.³

They were released on 20 February 2011,⁴ a few days after the demonstrations calling for their release began. Protests continued, however, with calls for the release of nine Shi’a Muslim men⁵ from the Eastern Province believed to have been arrested in 1998 in connection with the bombing of the al-Khobar Towers Complex, a US military housing complex, in June 1996 in the Eastern Province city of al-Khobar and who are reported to be still held without charge or trial.⁶

Demonstrations spread to other towns and villages of the Eastern Province, notably al-Qatif, in February and March 2011 as events unfolded in neighbouring Bahrain. Demonstrations reached their peak in the second half of March 2011 when thousands took to the streets, particularly in al-Qatif and Awwamiya, to protest the Saudi Arabian deployment of at least 1,200 troops,⁷ mostly in tanks and armoured personnel carriers that crossed into Bahrain, to help crush the uprising there.⁸

The Governor of the Eastern Province and his Deputy held several meetings⁹ with clerics, prominent figures and other members of the Shi’a Muslim community in late March 2011 and April 2011 to try to persuade them to stop the protests in return for some of the demands of the community being met.

Protests have continued since but generally on a smaller scale. On some occasions, they have involved small number of demonstrators calling for reforms, particularly the lifting of discrimination against members belonging to the Shi'a Muslim minority, such as allowing them to freely exercise their religious beliefs; giving them equal opportunities to work in the public sector; and allowing them to enrol in security, military and diplomatic academies. On other occasions, larger numbers of people have taken to the streets to protest what they saw as excessive use of force by the security forces in previous demonstrations.

Amnesty International's research indicates that, in this context, the Saudi Arabian authorities have undertaken a range of security measures. In the first half of 2011, in particular, they set up checkpoints in the main towns where protests were taking place. Security officers conducted thorough searches of those who passed through them and examined the content of their mobile phones, confiscating video footage and images of the protests and other material stored on them perceived as critical of the state and arresting those in possession of such material.

Since February 2011, hundreds of individuals have been arrested and detained – mostly without charge or trial - and, in a limited number of cases, brought to trial on suspicion of taking part in or supporting protests or of expressing views critical of the state. While the organization recognizes that the Saudi Arabian authorities have a responsibility to preserve public order and to investigate and prosecute individuals suspected of carrying out internationally recognized criminal offences, whether during protests or outside of them, it is concerned that many of those arrested appear to have been detained arbitrarily. It is particularly concerned about reports that several of those detained have been subjected to torture or other ill-treatment. It has also documented cases where individuals have been subjected, among other measures, to travel bans or dismissed from their employment apparently to punish them arbitrarily for exercising their rights to freedom of expression or assembly.

These measures have been taken against mainly Shi'a Muslim individuals suspected of taking part in protests and other gatherings perceived by the authorities as opposed to the Saudi Arabian government or sympathetic with protesters in Bahrain; individuals engaged in setting up, managing or being involved in websites perceived as posting material that is critical of the Saudi Arabian authorities; writers whose articles are seen as encouraging or supporting protests; others suspected of drafting, signing or distributing statements or petitions opposed to government policies and practices; individuals suspected of communicating with the media on these issues; and mobile phone users suspected of storing and sending messages perceived as opposed to the government.

According to Amnesty International's information, the Saudi Arabian authorities have also blocked several websites operating from the Eastern Province apparently for posting news about demonstrations and other activities opposed to government policies and practices and the authorities' response to them. In February 2012, for instance, the authorities blocked at least two websites, al-Fajr (alfajer.web) and Awwamiya ala al-shabaka, which ran mainly social and cultural content but also protest-related news and information.

Amnesty International is concerned that the measures taken by the Saudi Arabian authorities amount to a pattern of widespread human rights violations against individuals exercising their

rights to freedom of expression and assembly in the Eastern Province. Furthermore, it believes that there is evidence indicating that, at least with regard to those dismissed arbitrarily from their employment, there is a state policy to commit such violations.

Amnesty International conducted its research for this report from March to May 2012 by phone and Skype interviews with individuals who said they or their families have been subjected to retaliatory measures for exercising their rights to freedom of expression or assembly. Amnesty International's experience is that people who talk to international human rights organizations are at risk of repercussions by the Saudi Arabian authorities and has therefore exercised caution when including information on their cases in this report, omitting names and other information that may identify interviewees or put people at risk.

Amnesty International has a number of concerns regarding the use of force by Saudi Arabian security forces in protests in the Eastern Province, but its research into this issue is ongoing and will not be addressed in this report. In particular, it has received reports that, in some cases, the Saudi Arabian security forces have used excessive force when dealing with the protests and that, since 21 November 2011, seven men have died and a number of others injured after being shot while protesting or engaging in other activities. Amnesty International notes that the Saudi Arabian authorities have stated that the deaths and injuries occurred during exchanges between the security forces and individuals who had used firearms or Molotov cocktails.

On 16 May 2012, Amnesty International submitted a memorandum to the Saudi Arabian authorities that contained the information outlined in this report and raised a number of concerns and asked a number of questions related to the security measures they have been taking in the Eastern Province and the specific cases raised in this report. By the time this report went to print, Amnesty International had not received a response from the Saudi Arabian authorities.

2. ARRESTS AND DETENTIONS

“[Protests in] the streets create strength, and it is strength that makes dialogue effective...”

Excerpt from the article “I protest therefore I am a [good] human”, by Nazeer al-Majed who was arrested on 17 April 2011, a few days after he published it.

Amnesty International’s research shows that hundreds of individuals, mainly men, but also children, have been arrested in the Eastern Province since March 2011. Many of those arrested have been released. However, some continue to be detained, mostly without charge or trial and apparently solely for exercising their right to freedom of expression or assembly.

Among those still detained apparently without charge or trial are **Maitham bin Ahmad Abdullah Al Hamdoon, Jalal Al Jamal, Habib al-Ma’ateeq, Ali Hassan al-Hodloq**, brothers **Muhammad Ahmad Abdul Hadi al-Khalifa** and 16-year-old **Ali Ahmad Abdul Hadi al-Khalifa, Hussein Salman Yassin al-Sulaiman, Hussein Ali Muhammad al-Bazer, Nazeer al-Majed** and **Sheikh Tawfiq Jaber Ibrahim al-Amer**. None of these detainees has been directly informed of any charges filed against them, yet comments made by officials to family members or others indicate that they are being held for suspected engagement in peaceful activities, such as taking part in protests and posting materials on the internet and social media sites, which may have appeared critical of the state or sympathetic to the uprising in neighbouring Bahrain.

To Amnesty International’s knowledge, none of these detainees has been allowed to appoint a lawyer or a legal representative except for Sheikh Tawfiq al-Amer, and none of them has been allowed to challenge the legality of their continued detention. They have been held incommunicado without or with very limited and irregular access to their families for some or all of the period of their detention. At least seven of the detainees whose cases are documented in this section, including 16-year-old Ali Ahmad Abdul Hadi al-Khalifa, have been held for a period exceeding the maximum six-month limit on detention without trial permitted by the 2001 Law on Criminal Procedures following which they must be brought before a judge or released.¹⁰

Maitham bin Ahmad Abdullah Al Hamdoon,¹¹ a schoolteacher in his mid-forties, was first arrested on 28 February 2012 by the police in al-Qatif and transferred to a police station in Dammam before being released on bail on 4 March 2012. After nearly a month, he was summoned to the police station in al-Qatif. He went there on 9 April 2012 and was arrested for the second time. The following day, he was taken to a police station in Dammam, where he was held for about four days before being transferred to the city’s General Directorate of Investigation (GDI),¹² according to his family who spoke to a police officer in al-Qatif.

Prior to his second arrest, Maitham Al Hamdoon told his family that during his detention between 28 February and 4 March interrogators at the police station in Dammam questioned him repeatedly on whether he watched Iran’s Arabic-language Al-Alam channel. The

interrogators also asked him why he took part in demonstrations. When he denied this, they said that details of his car, including its registration number, were passed on to them by the security forces because it was parked near the location of demonstrations in al-Shuweika neighbourhood in al-Qatif. Maitham Al Hamdoon reportedly told them that he usually parked his car there because his elderly parents live in the area.

Maitham Al Hamdoon told interrogators during his first detention that he took part in only one march and that it was a Shi'a Muslim religious march called *maseerat 'azaa'* (a march of condolence). In response, one interrogator said: "You call it that, but it is actually a demonstration because those taking part in it shout chants in support of Bahrain."

Relatives told Amnesty International that interrogators at the Dammam police station also asked Maitham Al Hamdoon for his wife's surname – al-Qassab. They then accused him of taking part in protests calling for the release of al-Sayyed Mustafa al-Qassab,¹³ one of nine men held in detention for the last 14 years without charge or trial in connection with the 1996 al-Khobar bombing.

Interrogators in Dammam also asked him what comments he had posted on Facebook and why he had joined groups in support of the demonstrations, including the Facebook group "Ahrar al-Qatif" (Freemen of al-Qatif). Interrogators also accused him of writing an article critical of the Saudi Arabian authorities, which they said was posted on his Facebook page.

Maitham Al Hamdoon's family has received little information about him since his second arrest in April. He was able to speak to them at least once while at Dammam police station and said that he was forced to sign documents that he was not allowed to read. In mid-April 2012, al-Qatif police officer reported to Maitham Al Hamdoon's family that he had been transferred to the GDI, and by late April 2012 the family has been unable to get any phone calls from him, visits or confirmation about his location.

In the third week of April 2012, Maitham Al Hamdoon apparently was taken to the Bureau of Investigation and Public Prosecution (BIPP), which falls under the authority of the Ministry of Interior, where he had to sign statements under duress. A relative told Amnesty International that his family found out through unofficial channels that accusations against him included taking part in demonstrations in support of Bahraini protesters, joining banned Facebook groups and writing an article on Facebook.

Maitham Al Hamdoon is believed to be held incommunicado without access to his family or a lawyer. According to the information gathered, Amnesty International believes that Maitham Al Hamdoon is most likely to be a prisoner of conscience held solely for exercising his right to freedom of expression and assembly.

Jalal Al Jamal,¹⁴ a 43-year-old Arabic literature schoolteacher and activist, was arrested on his way back from work on 25 February 2012, reportedly by security men at a checkpoint on al-Hadla Road, which links al-Qatif to Awwamiya. Jalal Al Jamal was initially held at the police station in Dammam and was transferred a few days later to the GDI in Dammam where he continues to be held.



Jalal Al Jamal, held incommunicado since February 2012, with his three children © Private

A day after his arrest, a family member received a call from Jalal Al Jamal's mobile phone. Jalal Al Jamal said that he was being held at the police station in Dammam and said: "I need you to persuade my brother, Ramzi, to hand himself over to the authorities because this would make it easier on me." During the phone call, an officer spoke to the family member and said: "You need to persuade Ramzi to hand himself over and that would serve your brother [Jalal] and him [Ramzi]." The family

believes that members of the GDI were telling Jalal Al Jamal what to say.

Ramzi Al Jamal is on a list published by the Ministry of Interior on 8 Safar 1433 of the Islamic calendar (2 January 2012) of 23 men from the Eastern Province who are wanted for their alleged involvement in "chaotic gatherings, disrupting traffic inside neighbourhoods, destruction of private and public property, possession of firearms in an illegal manner, shooting indiscriminately at security forces and citizens, hiding behind innocent citizens, and attempting to drag them into clashes with security forces to implement foreign agendas."¹⁵

One of Jalal Al Jamal's relatives told Amnesty International that a family member went to the police station the day after the family received the phone call from Jalal Al Jamal. The family member was not allowed to see Jalal, and the security officer in charge said that he was not yet permitted family visits. When the family member asked the security officer about the reason for Jalal Al Jamal's detention, the officer replied that he had been engaged in "activities" but did not elaborate. Amnesty International has learned that the security officer threatened Jalal Al Jamal's family that if his brother Ramzi did not hand himself over, the family's younger brother, in his early 20s, would also be taken away. The officer gave the family member Jalal Al Jamal's car keys, bank card and a set of rosary beads. The family member signed for the receipt of the items and left.

Several days later, the family received a phone call from Jalal Al Jamal, who said that he had been transferred to the GDI and asked for his wife's mobile phone number so that the GDI could provide the monthly financial assistance that it offers, in many cases, to the families of GDI detainees. Jalal Al Jamal's family has not received any further information from or about him since that call.

Some of Jalal Al Jamal's family members made several attempts to see him at the GDI in Dammam and learn why he was detained. To this day, however, Jalal Al Jamal has not been permitted to receive any visits other than one "exceptional visit" from his family on 29 April 2012, or to meet with a lawyer or otherwise secure legal representation. His family has not

been informed by the Saudi Arabian authorities about the reason for his detention or how long his detention will last. Amnesty International is concerned that Jalal Al Jamal continues to be held incommunicado and that he is at risk of torture or other ill-treatment.

Jalal Al Jamal, formerly a Shi'a Muslim cleric, is active in identifying and addressing social problems in his hometown of Awwamiya and has been supervising a project to build a local mosque. He is married, has three children aged between six and 13 and his wife is pregnant with their fourth child.

Amnesty International's information suggests that Jalal Al Jamal is being held to put pressure on his brother, Ramzi, to hand himself over to the authorities and possibly for exercising his right to freedom of expression and, therefore, considers him most likely to be a prisoner of conscience.

Habib al-Ma'ateeq,¹⁶ a 32-year-old poet, photographer and online activist and a father of three, was arrested by security men on 22 February 2012 at his workplace at a petrochemical company in al-Jubayl, north of al-Qatif. He was taken to al-Jubayl police station, where police officers allowed him to answer his mobile phone when a family member called. Habib al-Ma'ateeq told the relative that he was at al-Jubayl police station and that he had "a simple problem related to traffic", but he sounded as if he did not feel comfortable to communicate freely.

Habib al-Ma'ateeq's family could not locate him for a week after the call. They then received a phone call from the GDI, during which Habib al-Ma'ateeq was allowed to speak briefly to his wife and mother. He told them that on the day of his arrest he was transferred to the GDI in Dammam where his family believes he is still held, apparently without charge.

The authorities permitted Habib al-Ma'ateeq to receive one family visit on 17 March 2012, just under a month after his arrest. Officers referred to the visit as "exceptional" because, according to them, he was still under investigation and was not permitted to receive visits. It is unclear whether the visit was allowed in response to a request by the family a week earlier. On 1 May 2012, the authorities permitted Habib al-Ma'ateeq the second family visit since his arrest, and his family was told that he was now allowed to receive visits once a month.

Habib al-Ma'ateeq's family has not been formally informed of any charges against him. However, when relatives spoke to him on 17 March 2012, in the presence of an officer wearing a military uniform, Habib al-Ma'ateeq said that he was fine and that he was detained because of his online activities. GDI interrogators reportedly accused Habib al-Ma'ateeq of managing a website on social and cultural issues, called al-Fajr, based in his hometown of al-Rabi'iyah on Tarut Island, al-Qatif.

Habib al-Ma'ateeq's family sent letters to the GDI dated 13 March 2012 and 10 April 2012 requesting information about charges against Habib al-Ma'ateeq and the length of his detention, but as of 4 May 2012 they had not received a reply. The family's similar queries to the Ministry of Interior also remained unanswered.

Between the "exceptional visit" on 17 March and the visit on 1 May, the GDI authorities allowed Habib al-Ma'ateeq three brief phone conversations with his family, but the family

was not informed whether or not a legal proceeding for his case has begun or if he would be referred to the judiciary.

Habib al-Ma'ateeq has no legal representation. Eleven years ago, he was detained along with scores of other men from the Eastern Province following the al-Khobar bombings of 1996 and remained in detention for three years without charge or trial and without legal representation.

Based on the information gathered, Amnesty International believes that Habib al-Ma'ateeq is most likely to be a prisoner of conscience, imprisoned solely for exercising his right to freedom of expression. Amnesty International believes that Habib al-Ma'ateeq continues to be at risk of torture or other ill-treatment.



Detained poet and photographer Habib al-Ma'ateeq at an exhibition displaying his photos last year © Private

Ali Hassan al-Hodloq,¹⁷ a 23-year-old student, was reportedly arrested on 4 October 2011 near his home in al-Ahsa. He was taken to the Criminal Investigation Department in al-Ahsa where he was held for around three months. He was then transferred to the GDI in Dammam where he continues to be held apparently without charge or trial.

Upon his arrest, Ali al-Hodloq was held incommunicado for at least 10 days. He was then allowed regular family visits at the Criminal Investigation Department in al-Ahsa. During these visits, an officer ordered Ali al-Hodloq to stand around two metres away from the window separating him from his visitors. When the family complained that they could not hear each other, the officer said that he wanted them to speak loud enough so he could hear the conversation.

On one occasion, Ali al-Hodloq's father asked his son if he had been beaten up. The officer immediately intervened and ordered the father not to ask "such questions". When the father

insisted, saying he wanted to check on whether or not Ali al-Hodloq had been beaten, the officer replied: "You're here to check if he's fine, and that's it. You cannot ask him other questions."

After Ali al-Hodloq was transferred to the GDI in Dammam, family visits were reduced to once a month, sometimes for 20 to 30 minutes depending on the number of families coming to see their detained relatives. An officer was always present during the monthly visits.

A relative told Amnesty International that Ali al-Hodloq's family has repeatedly asked about the reasons for his detention and the charges against him. The family filed complaints to al-Ahsa's Mayor, Prince Badr bin Mohammad bin Jalawi, calling for Ali al-Hodloq to be released and pledging that he would not be involved in any activities against the government. The family has received no response. The family also filed three queries to the Governor of the Eastern Province, Prince Mohammed bin Fahd bin Abdul Aziz Al Saud, about the legal status of Ali al-Hodloq, but has received no response. Every time the family sent such a letter, they received a reference number for their query, but were always told that there were no news yet and that Ali al-Hodloq was still being questioned. Only on one occasion was the family able to obtain a brief response from a senior officer at the GDI in Dammam, who said that Ali al-Hodloq was held for "security reasons related to his activities on the computer" apparently in reference to online activities.

According to the information available, Amnesty International believes that Ali al-Hodloq is likely to be a prisoner of conscience held solely for exercising his right to freedom of expression.

Brothers **Muhammad Ahmad Abdul Hadi al-Khalifa**, aged 21, and **Ali Ahmad Abdul Hadi al-Khalifa**,¹⁸ aged 16, were arrested at a checkpoint on the night of 23 September 2011. At the time of their arrest, they were travelling to al-Ahsa from Dammam by bus. Following their arrest, the brothers were taken to the GDI in al-Ahsa. Their family received a phone call after midnight from the GDI asking a family member to come to al-Ahsa. GDI personnel then escorted the family member home and searched it without showing a search warrant. They confiscated a computer belonging to Muhammad al-Khalifa and Ali al-Khalifa. About three months after their arrest, the brothers were moved to the GDI in Dammam.

Since their arrest more than seven months ago, the brothers have had no legal representation. They have been permitted family visits – once a week when they were still held in al-Ahsa and then once a month in Dammam.

The brothers told visiting family members that they were taken to a court in al-Ahsa where they had to sign documents containing statements attributed to them, and that they are accused of showing solidarity with protesters in Bahrain via social media. It is unclear whether Muhammad al-Khalifa and Ali al-Khalifa have been formally charged.

The al-Khalifa family complained to the Human Rights Commission in Dammam, which passed the complaint on to its headquarters in Riyadh. The Human Rights Commission told the family that the Riyadh office sent the complaint to the Ministry of Interior. So far, the family has not received any response from the Ministry. The family also sent a complaint to the Governor of the Eastern Province and the prosecutor's office in Dammam but have not

received any response.

Ali al-Khalifa was allegedly subjected to physical abuse while he was held at the GDI in al-Ahsa (see below).

Based on the information available, Amnesty International believes that Muhammad al-Khalifa and Ali al-Khalifa are likely to be prisoners of conscience, imprisoned solely for exercising their right to freedom of expression. Amnesty International also believes that both Muhammad al-Khalifa and Ali al-Khalifa continue to be at risk of torture or other ill-treatment.

Hussein Salman Yassin al-Sulaiman,¹⁹ a 35-year-old father of three children, was arrested on 21 September 2011 for expressing “compassion” with the Bahraini protesters and calling for the release of detainees in Saudi Arabia on Facebook. This is according to an officer at the Criminal Investigation Department in the Eastern Province town of al-Ahsa who spoke to Hussein al-Sulaiman’s relative. The relative passed the information to Amnesty International on condition of anonymity.

Hussein al-Sulaiman, who has suffered from polio for years, was held for around three months at a detention facility run by the Criminal Investigation Department in al-Ahsa. He was then transferred to the GDI in Dammam where he was reportedly tortured and, as a result, his handicapped upper thigh was broken (see below). Hussein al-Sulaiman is believed to have been questioned by the BIPP in Dammam and has been receiving regular visits from his family since he was held in al-Ahsa.

Based on the information available, Amnesty International believes that Hussein al-Sulaiman is likely to be a prisoner of conscience, imprisoned solely for exercising his right to freedom of expression. Amnesty International also believes that Hussein al-Sulaiman continues to be at risk of torture or other ill-treatment.

Hussein Ali Muhammad al-Bazer,²⁰ aged 33, was reportedly arrested on 21 September 2011 on the grounds that his activities on Facebook were deemed critical of the Saudi Arabian authorities. He has been held apparently without charge or trial at the GDI in Dammam. He has no legal representation but is permitted family visits.

Information available to Amnesty International suggests that Hussein Ali Muhammad al-Bazer could be a prisoner of conscience held solely for exercising his right to freedom of expression.

Nazeer al-Majed,²¹ a 35-year-old school employee and father of two, was arrested on 17 April 2011 at Jabal al-Noor public school in the Eastern Province city of al-Khobar, where he had been working for two years. Nazeer al-Majed told a relative visiting him in detention that at the time of his arrest, he asked the security men to show him an arrest warrant. They said that they did not have one and that he should go with them anyway. He was initially taken to a security facility in al-Khobar and transferred the same day to the Ministry of Interior’s GDI in the Eastern Province city of Dammam where he continues to be held.

Nazeer al-Majed’s arrest came days after he published the article “I protest therefore I am a [good] human” (*ana ahtajj izan ana adami*),²² which was reposted on a number of websites.

In the article, Nazeer al-Majed opined that dialogue could only take place between two equal sides and that only by protesting in the streets could people be on a par with the state, which would lead to an effective dialogue. Prior to his arrest, Nazeer al-Majed published articles on philosophical, social and political issues in Arabic-language print media and online.

On the day of Nazeer al-Majed's arrest, plain-clothed men, apparently GDI personnel, arrived at his home accompanied by his brother. They searched the apartment without showing a search warrant and without saying what they were looking for. During the search, security forces were deployed in the street outside Nazeer al-Majed's residence, some of them in military and police uniforms and carrying arms.



Nazeer al-Majed, detained for his writings, with his daughter © Private

The security men confiscated Nazeer al-Majed's laptop, new and old family videos including one with footage of him as a child, a hard disk that included family photos, and books by exiled Saudi Arabian opposition figures residing abroad and by the late Ayatollah Ruhollah Khomeini of Iran. The security men also confiscated posters of Khomeini and the Secretary General of the Lebanese Shi'a Muslim armed group Hizbullah, al-Sayyed Hassan Nasrallah, which were hanging on the wall of a storage room. They also asked a female relative who was at home to hand over any other documents or CDs belonging or related to Nazeer al-Majed.

Five months after his arrest, Nazeer al-Majed was first permitted to receive family visits. At present, he is allowed to see family members twice a month. He told family members that he was subjected to torture, including lengthy solitary confinement (see below). He was also repeatedly questioned about his writings, and asked whether he watched Iran's Arabic-language Al-Alam channel and Al-Manar channel, which is owned by Hizbullah.

According to Nazeer al-Majed's family, he told them he was twice taken to a court under the authority of the Ministry of Interior's BIPP, where he had to sign documents including statements that he allegedly made or was forced to make under torture. On the first occasion, he had to sign a statement that he had taken part in demonstrations and spoken to the media; on the second occasion, he had to sign a statement that he had written articles critical of the Saudi Arabian authorities and the royal family.

It is unclear to Amnesty International whether Nazeer al-Majed has been formally charged. Ministry of Interior officials said in response to a query by a family member about the grounds of Nazeer al-Majed's detention in March 2012 that he was accused of taking part in a protest, encouraging protests and communicating with foreign media.

Nazeer al-Majed continues to be held without legal representation despite being detained for more than a year, apparently without charge.

Based on the information Amnesty International has been able to verify, Nazeer al-Majed is a prisoner of conscience, imprisoned solely for exercising his right to freedom of expression. Amnesty International is concerned that Nazeer al-Majed continues to be at risk of torture or other ill-treatment.

Sheikh Tawfiq Jaber Ibrahim al-Amer, a Shi'a Muslim cleric in his forties and father of seven children, was detained by GDI officers on 27 February 2011, two days after he had advocated political reforms in his Friday sermon.²³ He was released on 6 March 2011 after a week detained incommunicado.²⁴ He had been arrested twice previously in 2008 and 2009. He was rearrested on 3 August 2011 in connection with his calls for reform while on his way home from a mosque in the city of al-Hufuf, al-Ahsa governorate. His family did not know where he was until 8 August



Sheikh Tawfiq al-Amer, accused of "inciting public opinion" © Private

2011, when they found out he was detained in a police station in Dammam and were allowed to visit him. Sheikh Tawfiq al-Amer was also allowed access to a legal representative whom he had already appointed prior to his arrest. He had been detained incommunicado and in solitary confinement until then.²⁵ He was transferred on 22 August 2011 to al-Ha'ir prison and then three days later to al-Malaz prison in Riyadh where he is still detained without charge or trial. He is accused of "inciting public opinion". His family have written to the authorities six months following his arrest calling for him to be tried or released in accordance with the 2001 Law on Criminal Procedures.

Amnesty International considers Sheikh Tawfiq al-Amer to be most likely a prisoner of conscience imprisoned solely for exercising his right to freedom of expression. Amnesty International is concerned that he continues to be at risk of torture or other ill-treatment.

The UN Human Rights Committee has found that the practice of incommunicado detention may in and of itself violate the prohibition of torture and other ill-treatment as well as the right of detainees to be treated with dignity and humanity²⁶.

In addition, international standards dictate that everyone in detention be treated with dignity and according to their human rights. Article 10 of the International Covenant on Civil and Political Rights (ICCPR) mandate that "all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person". International standards stress the importance of regular, unrestricted access to detainees by lawyers, independent medical personnel²⁷, and family members²⁸ as a crucial means of ensuring the well-being of the individual concerned and of regularly scrutinizing the detention conditions. The Human Rights Committee has found, on several occasions, that incommunicado detention is conducive to torture or other ill-treatment because of the lack of regular oversight.²⁹ Saudi Arabia has neither signed nor ratified the ICCPR.

In the memorandum sent to the Saudi Arabian authorities on 16 May 2012, Amnesty International asked for information about the legal status of the 10 detainees whose cases are outlined above, including details of whether they have been charged and the nature of any such charges; information about the conditions of detention of the 10 detainees, including the reason nine of them, including the child Ali Ahmad Abdul Hadi al-Khalifa, have not been allowed access to legal representation and the legal grounds on which they have been prohibited partially or fully from receiving family visits.

Amnesty International is calling on the Saudi Arabian authorities:

- to release immediately and unconditionally any of the 10 detainees held solely for the peaceful exercise of their rights to freedom of expression and assembly;
- to release other detainees unless they are charged with a recognizably criminal offence and promptly tried in proceedings that fully adhere to international fair trial standards;
- to allow all detainees regular access to their families and legal representatives with visits that are free from security supervision over private conversations;
- to provide adequate medical attention to detainees who need it, including by taking them to hospitals;
- to provide adequate compensation for those held solely on grounds of their peaceful activities;
- more broadly, to sign and ratify the ICCPR and other international treaties protecting freedom of expression and assembly, among other rights.

3. TRIALS

“What the accused did... is a religiously prohibited action that is a crime and punishable by imprisonment...”

An excerpt from a court ruling against a man convicted of storing on and sending via his mobile phone a message expressing support for Shi'a Muslim protesters in Bahrain.

Amnesty International has observed that individuals suspected of taking part in protests or exercising other peaceful activities perceived as critical of the Saudi Arabian authorities have been largely held without charge or trial. However, the organization is aware of at least one case of an individual who has been charged and is currently standing trial and a second case of a man convicted and sentenced.



Human rights activist Fadhel al-Manasif is standing trial before the Specialized Criminal Court © Private

Fadhel Maki al-Manasif, a 26-year-old human right activist and writer, has been in detention since 2 October 2011. He is well known for opposing discrimination against Shi'a Muslims and had documented the arrests of Shi'a Muslims during protests in the Eastern Province in early 2011.

He is currently being tried by the Specialized Criminal Court in Riyadh, a court set up to deal with terrorism and security related issues, for charges which include among others “breaking allegiance to the ruler”, “stirring sedition and disorder”, “inciting public opinion against the state”, “disrupting order by participating in marches”, and “supporting a person who is wanted by the state”.

He was told on 30 April 2011 to report to the Criminal Investigation Department at the police station in Awwamiya. He went there the next day and was arrested. He was transferred the same day first to a police station in the city of al-Qatif and then to a police station in the nearby district of al-Thuqbah, where he was detained for at least three days. He was then moved to al-Khobar prison, where he was allowed visits. On 18 May 2011, he was transferred to the GDI prison in the city of Dammam,³⁰ where he was held incommunicado until he was released on 22 August 2011 after signing a pledge that he would not participate in protests again. During this time he was presented with the charges mentioned above.

He was arrested again on 2 October 2011 at a police checkpoint between the towns of Awwamiya and Safwa in the Eastern Province, and taken to Safwa police station. He had

earlier that day tried to negotiate with the police regarding the detention of two elderly men who were reported to have been held in order to pressure their sons to surrender themselves to the authorities. A crowd had gathered outside the police station and he was reported to have tried to calm them down. He was transferred to Dhahran police station and detained in solitary confinement and without access to the outside world until 10 October 2011, when he was transferred again to the GDI prison in Dammam.³¹ He is not allowed family visits but can call his family twice a month.

Fadhel al-Manasif was taken to the Specialized Criminal Court in Riyadh on 28 February 2012 to answer the charges mentioned above.³² They relate to events in March 2009 when he was arrested for apparently being at a gathering in the Eastern Province and released after signing a pledge not to take part in future gatherings. However, Amnesty International is concerned that he may be being targeted because of his activism in raising human rights concerns about the treatment of members of the Shi'a Muslim minority in Saudi Arabia including the arrests of protesters and therefore linked with the measures taken in 2011 against those suspected of taking part in or supporting protests or of expressing views critical of the state.

As mentioned above, Amnesty International is aware of at least one case³³ of a Saudi Arabian national who has been tried and sentenced to prison solely for exercising the right to freedom of expression in the context of the recent protests in the Eastern Province.

Amnesty International has not been able to contact anyone involved in the case, but has managed to obtain a copy of the ruling, which was issued in March 2012 by a criminal court in a city in the Eastern Province,³⁴ sentencing him to eight months in prison and imposing a fine of 10,000 riyals for storing and sending a message in solidarity with the Bahraini protesters to multiple contacts via a mobile phone.

The ruling against the man stated: "Upon being questioned, he said that he had received a message through the Blackberry service from a person... [that] he opened it, read it and re-sent it to all his... contacts, and that he sent it out of a religious affiliation as he supports the demands of the Bahraini people against their government."

The man was charged with storing and sending via his mobile phone "what may disrupt the general order." The court ruling added: "What the accused did... is a religiously prohibited action that is a crime and punishable by imprisonment and a fine or either [of the two penalties] in accordance with paragraph 1 of Article 6 of the Law to Combat Information Technology Crimes."³⁵

Under international law, everyone has the right to a fair trial by a competent, independent and impartial tribunal established by law, as reflected in Article 10 of the Universal Declaration of Human Rights. All trials of those charged with a recognizably criminal offence must conform to the minimum procedural guarantees. The fairness of proceedings before a court depends on several factors including: whether the defendants were assisted by a lawyer of their own choosing and the right to appeal against their conviction and sentence to a higher court; whether the trial proceedings were public; whether the court's jurisdiction complies with the principles of non-discrimination and equality before the law; and whether the judges are impartial and independent from the executive. Further, any information

obtained under torture or other ill-treatment must be excluded from use in the judicial proceedings and may not be used as evidence to obtain conviction

In the memorandum sent to the Saudi Arabian authorities on 16 May 2012, Amnesty International asked for information on the number of people formally charged and/or sentenced to prison, corporal punishment or fines since February 2011 in the Eastern Province or elsewhere in Saudi Arabia for taking part in protests and other gatherings, drafting or signing or distributing statements, writing and publishing articles in the media, engaging in online activities, posting material including comments on Facebook or other social media, joining Facebook groups, or sending messages via mobile phones; information on the courts they were referred to and the sentences and fines imposed on these people and whether any of those sentenced to prison, corporal punishment or fine are under the age of 18.

Amnesty International is calling on the Saudi Arabian authorities:

- to issue immediate orders revoking all prison and other sentences handed down against people who have taken part in activities that fall within their rights to freedom of expression and assembly;
- to remove from official records any such convictions that may harm these persons from seeking employment;
- to guarantee compensation to all those who have been held as prisoners convicted of engaging in activities in which they have peacefully exercised their rights to freedom of expression or assembly.

4. ALLEGATIONS OF TORTURE AND OTHER ILL-TREATMENT

“I’m going to break your other leg.”

An officer yelling at a 35-year-old man whose disabled leg was broken after being beaten up at the GDI facility in Dammam, as related to Amnesty International by a relative.

Amnesty International has credible information indicating that at least three detainees documented in section 2 of this memorandum have been subjected to torture or other ill-treatment during at least some of their time in detention. A fourth detainee appears to have been subjected to degrading treatment. Amnesty International is concerned that the remaining six detainees may also have been subjected to torture or other ill-treatment, but have been unable to report that to their families due to visitation restrictions and monitoring, or due to being held incommunicado.

Amnesty International has received credible reports that Nazeer al-Majed was subjected to torture and other cruel, inhuman, or degrading treatment particularly during the period in which he was being investigated, which lasted for four months following his arrest in April 2012. He was questioned two to three times a month and remained in solitary confinement throughout the investigation period.

According to information gathered by Amnesty International, Nazeer al-Majed was regularly beaten while taken from his cell to the interrogation room. During questioning, Nazeer al-Majed was slapped and beaten with closed fists in his face, kicked all over his body and whipped by a hard instrument on his back. He was forced to stand in a stressful position for up to four hours with his arms raised and tied and his feet shackled. Several times, security men came into his cell, ordered him to sit facing the wall and then slammed his head against the wall.

Nazeer al-Majed told relatives that after he inscribed on an aluminium cover (used for his food) “I am the world and the rest are all trash”, GDI officers questioned him and then doubled his solitary confinement for another two and a half months as a punitive measure.

Amnesty International has received credible information indicating that Hussein al-Sulaiman was subjected to torture shortly after his transfer to the GDI detention facility in Dammam following a three-month period of detention at the Criminal Investigation Department in al-Ahsa. As a child and youth, Hussein al-Sulaiman suffered from polio, but more than 15 years ago, underwent a surgical operation that enabled him to walk without the support of crutches.

A relative told Amnesty International that, upon arrival at the GDI facility in late 2011 or early 2012, an officer beat Hussein al-Sulaiman while he was shackled by his hands and feet. When he fell to the ground, the officer asked Hussein al-Sulaiman to stand up, but he was unable to. He told the officer that his left leg, the leg affected by polio, was broken. The

officer replied: "I'm going to break your other leg."

The GDI officials took Hussein al-Sulaiman to Dammam Central Hospital where he underwent a surgical operation after it appeared that his upper thigh was broken. Since the operation, he apparently cannot move comfortably or without crutches.

Shortly after the alleged assault against Hussein al-Sulaiman, his family filed a complaint to the Ministry of Interior and to the Governor of the Eastern Province, Prince Mohammed bin Fahd, calling for the GDI officer responsible to be held accountable. According to Hussein al-Sulaiman's relative, the family has not received any official response, but heard through unofficial channels that the GDI may claim that Hussein al-Sulaiman injured himself when he fell.

Detainee Ali Ahmad Abdul Hadi al-Khalifa, a minor (see above), was allegedly beaten up during interrogation at the GDI in al-Ahsa, according to credible information received by Amnesty International.

A detainee³⁶ held for nearly four months in 2011 told Amnesty International that he was tortured for 10 days until he agreed to sign a "confession" by being made to stand for prolonged periods with his arms raised; beaten with an electric cable; struck in the face, back and stomach; and threatened that he would be raped by other prisoners. While being held at the GDI in Dammam, this detainee asked for a small piece of cardboard to place on the floor over the prayer mat so that he could position his forehead on it while kneeling down and bowing, in accordance with Shi'a Muslim customs. The prison guards refused his request and told him he should pray in the Sunni Muslim way.

One man³⁷ held without charge or trial for nearly two months for suspected participation in protests and finally released in June 2011 told Amnesty International that he had his hands tied and his feet shackled with chains every time he was transferred to a new detention facility.³⁸

One detainee who is believed to be currently held at the GDI in Dammam told his family³⁹ that interrogators at a police station in Dammam called him a "*rafedhi*", or rejectionist, a derogatory term commonly used against Shi'a Muslims whose beliefs are deemed incompatible with the Wahhabi interpretation of Islam followed by the state. Another detainee told his family that an interrogator at the GDI in Dammam was angry that "even your mother's name is Shi'a." Also, Sheikh Tawfiq al-Amer has reportedly complained of being subject to insults for his Shi'a Muslim faith by prison guards.⁴⁰

Interrogators at Dammam police station taunted a schoolteacher questioned in reference to his online activities by saying to him: "Aren't you ashamed of yourself? You call yourself a teacher who brings up generations and you are engaged in such acts?"

International law prohibits torture and other cruel, inhuman or degrading treatment, amongst other places in the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Saudi Arabia is a state party, and Article 7 of the ICCPR. The right to be free from torture and other cruel, inhuman, or degrading treatment or punishment is absolute and non-derogable (Article 4 of the ICCPR), and is a peremptory

norm of customary international law, meaning that it applies in all jurisdictions under all circumstances.

The state not only has an obligation to make sure its agents do not engage in torture or other forms of cruel, inhuman, or degrading treatment, it also has a positive obligation to ensure effective protection against ill-treatment through the investigation of complaints of torture by competent authorities, holding those who order or carry out ill-treatment or torture responsible, and through ensuring adequate compensation for victims of torture and ill-treatment.⁴¹

In the memorandum sent to the Saudi Arabian authorities on 16 May 2012, Amnesty International asked for information on whether or not the government has initiated any serious investigations into allegations of torture or other ill-treatment against detainees held in the Eastern Province or elsewhere in Saudi Arabia, and specific information on the measures taken against the security officer who allegedly broke the upper thigh of Hussein al-Sulaiman at the GDI facilities in Dammam.

Amnesty International is calling on the Saudi Arabian authorities:

- to guarantee protection of all detainees, particularly vulnerable persons such as children and those with disabilities, to investigate allegations of torture and other ill-treatment and to hold perpetrators accountable;
- to provide adequate compensation for all those subjected to torture or other ill-treatment.

5. MEASURES AFFECTING EMPLOYMENT

“I pledge not to take part in protests again... and if I do, I will be moved to an administrative position”

A pledge reportedly dictated by a Ministry of Education official to a schoolteacher who had to write and sign it.

Amnesty International is concerned that public and private sector employees who choose to exercise their rights to freedom of expression and assembly risk losing their jobs. Public sector employees engaged in peaceful activities perceived as critical of the state are at risk of facing retaliatory measures by state institutions they work for, including dismissal from their jobs and salary deductions.

Amnesty International is also concerned that the Saudi Arabian authorities have refused to provide employees working in the private sector, who are or have been detained for exercising their right to freedom of expression and assembly, with documents confirming their detention by the authorities so that employers do not dismiss them on grounds of prolonged and unjustified absence from work.

5.1 PUBLIC SECTOR EMPLOYEES

Amnesty International has obtained copies of two official documents circulated in January 2012 providing for disciplinary measures leading to the dismissal of “the public employee who directs blame or criticism at the policy of the state”. Both official documents stated that their content was based on a circular (numbered 11410) issued by Minister of Interior Prince Naif bin Abdul Aziz Al Saud and dated on 15 Safar 1433 (9 January 2012). One of the two documents stated that the Minister of Interior’s circular was related to an order (*amr sam*)⁴² numbered 5049 / M B and dated 5 Sha’ban 1432 (6 July 2011).

One of the two documents – marked “confidential circular” and addressed to senior officials in one of the Saudi Arabian provinces – stated that the Minister of Interior had called on public institutions to do what is necessary to “raise awareness among their employees with regard to their responsibilities and work duties and to the commitment not to publish or issue or sign petitions or statements that oppose the policy of the state or are incongruous with the state’s basic rules.” The Minister of Interior’s order went on to urge public institutions whose employees have taken part in such activities “to proceed with measures to demand the employee’s dismissal in accordance with the employment regulations to which the employee is subject.” The employment regulations referred to in the document prohibit employees from “directing criticism or blame to the government in any domestic or foreign media” as stated in Article 1 of the Ministry of Civil Service’s Rules governing the Duties of Employees (*la’ehat*

al-wajebat al-wazeefiya).⁴³ Article 13 of the Rules for Disciplining Employees (*nizam ta'deeb al-mowazafeen*), endorsed by a royal decree (numbered M/7) on 1 Safar 1391 (28 March 1971), gives the cabinet the right to dismiss a public sector employee if their questioning leads to "strong suspicions that harm the job's dignity or the [employee's] integrity, honour or reputation."

Such vaguely worded clauses create the risk of an overly broad interpretation of the extent to which any employee taking part in drafting, distributing or signing any statements critical of the state can potentially harm the dignity of their job and/or their own integrity and reputation, putting them at risk of dismissal.

Article 32 of the Rules for Disciplining Employees identifies the possible disciplinary penalties that may be taken against an employee, including a deduction in their salary; losing any potential raise; and/or dismissal from their job. Article 43 gives the authorities the right to suspend an employee from work, and any employee held in preventative detention is considered suspended.

Nazeer al-Majed (see above), who has been held since April 2011 at the GDI for speaking to foreign media, writing articles critical of the state and taking part in a protest, is an employee of a public school that is under the jurisdiction of the Ministry of Education. While in detention, his salary was suspended for approximately six months by the Ministry of Education without any formal notification. Upon resumption of his salary, the Ministry deducted half of the net amount and failed to pay any cost of living increase or annual raise.

A relative of Nazeer al-Majed, who reportedly asked the Ministry of Education about the deduction in salary, was told that detainees held for anti-state activities were suspended from work and were entitled only to part of their salary.

A teacher⁴⁴ at a public school in the Eastern Province, who wishes to remain anonymous, told Amnesty International that the General Administration of the Ministry of Education in Dammam made him sign a pledge after he was arrested for a week for taking part in a protest in the first half of 2011.

About a week after his release, the teacher received a call from the Ministry of Education asking him to come to their offices in Dammam at a specific day and time. When he went there, he was questioned by two employees who introduced themselves by name but not by their professional ranks. The teacher asked why he was being questioned and was told that any employee who had been arrested by the security forces would have to be questioned by the Ministry of Education.

The questioning lasted for around two hours. The teacher had to give his answers in writing and sign his name next to each answer. When the teacher queried why he was being asked particular questions, one of the two employees questioning him said that a legal committee had prepared the questions and that their job was only to ask them. The questions included: why he took part in a demonstration and what the demands of protesters were; whether or not he was referred to the BIPP; and whether or not he had been summoned before to the Ministry of Education.

A few months later, the teacher was again summoned to the Ministry of Education in Dammam. When he arrived there, he was reportedly ordered to write down a pledge that was dictated to him, stating: "I pledge not to take part in protests again... and if I do, I will be moved to an administrative position". This effectively means a demotion and leads to a loss of privileges including a reduction in salary and annual leave. Demotion to an administrative role may also mean that the new place of work is farther away from the employee's residence.

In early 2012, the teacher received a copy of a document from the Ministry of Education informing him of the decision to deduct three days' pay for supporting an "intellectual case". No other details were given.

Another schoolteacher, also in the Eastern Province, had three days' pay deducted from his salary for being "accused of an intellectual case" as stated in a document marked as a "confidential disciplinary decision" by the Ministry of Education. Amnesty International has seen the document.⁴⁵

Such retaliatory measures against public sector employees perceived as critical of the Saudi Arabian authorities have taken place elsewhere in Saudi Arabia, including before the unrest in 2011. In late 2010, a university professor of *fiqh* (Islamic jurisprudence) in central Saudi Arabia, was suspended from his work. He was allowed to receive his salary, but was not given a reason for his suspension and was not allowed to challenge it. He told Amnesty international⁴⁶ that he was summoned by both the head of the *fiqh* department and the Dean of the Faculty of Shari'a at the university where he worked, and was told that they had received a memorandum from the Minister of Interior, which was read out to him and which he repeated to Amnesty International as follows:

With regard to [name withheld by Amnesty International to protect the person concerned], we are advising you of our wish that he should not practise teaching, that he should not be allowed to meet or have contact with students, and that he should be excluded from the committees that formulate the university's policies. This should be done without affecting his financial entitlements.

The university professor was not allowed to read the memorandum or to make a copy of it, and when he requested that the university officials formally announce his suspension, they refused and asked him to leave the campus immediately.

With no precise reason given for the suspension of the university professor, it can only be assumed that it was triggered by articles that he published, including one criticizing, on a religious basis, rulings by the highest governmental religious body, the Council of Senior Ulema⁴⁷, which considered demonstrations and sit-ins as un-Islamic.

In the memorandum sent to the Saudi Arabian authorities on 16 May 2012, Amnesty International asked for information on the number of public sector employees who have been subjected to employment-related penalties including financial deductions and/or suspension from their jobs, demotions or dismissals, for taking part in activities critical of the state in the Eastern Province and elsewhere in Saudi Arabia since February 2011; information on the specific activity that each employee engaged in that led the authorities to impose measures against them; information on which institutions these employees work for and which

ministries these institutions report to; information on the number of employees who have been able to challenge the proceedings against them; and all relevant documentation relating to the proceedings.

Amnesty International is calling on the Saudi Arabian authorities:

- to revoke orders and decisions providing for “disciplinary” measures against public sector employees who exercise their rights to freedom of expression and/or assembly, particularly circular numbered 11410, issued by Minister of Interior Prince Naif bin Abdul Aziz Al Saud, and order numbered 5049/ M B, issued by King Abdullah bin Abdul Aziz, and any other similar orders.
- to order immediately an end to practices by the Ministry of Education and any other ministry or public sector institution pressuring employees to make pledges that violate their rights to freedom of expression and assembly;
- to ensure that all those who were dismissed from their jobs in the public sector for exercising their rights to freedom of expression and/or assembly in 2011 and prior to that date are reinstated or offered reinstatement, have their suspended or deducted salaries reimbursed, and to ensure that their dismissal or withholding or deduction of their salaries does not affect their financial and other employment rights, including retirement entitlements and pensions and that compensation is guaranteed for those unlawfully detained.

5.2 PRIVATE SECTOR EMPLOYEES

Amnesty International has received reports of the dismissal of about 26 employees in companies governed by private sector-related laws. The employees were dismissed while held in detention by Saudi Arabian authorities for suspected participation in protests and/or for suspected activities that fall under their right to exercise freedom of expression.

These companies, including some owned partially or fully by the Saudi Arabian government, appear to have dismissed employees on grounds of their absence from work in accordance with Article 80 subparagraph 7 of the Saudi Arabian Labour Law (*nizam al-'ama*)⁴⁸ that governs the private sector and allows employers to terminate employment if the employee fails to show up to work without a valid reason (*sabab mashroo*). Article 80 of the Labour Law states that the employer cannot revoke a contract without rewarding, informing or compensating the employee except in specific cases, including the case stated in subparagraph 7, that is, if an employee is absent without a valid reason for 20 days in one year or for 10 successive days. This Article also gives the employee the right to contest the termination of their services.

Amnesty International's research shows that employees who were dismissed on grounds of absence while they were being held in detention have been asked to obtain documents proving they are or were detained and have not been convicted of any crime. Testimonies gathered by Amnesty International indicate that in most cases, the police station and the GDI in Dammam and the Eastern Province Governor's Office either refused or were reluctant to provide former detainees or detainees' families with the necessary documents. According to

information available to Amnesty International, the Saudi Arabian authorities usually provide documents informing companies that their employees are in detention.

At least six employees were dismissed from the Saudi Arabian Oil Company (Saudi Aramco), which is owned by the Saudi Arabian government but draws employees from both the public and private sectors.

Two employees⁴⁹ told Amnesty International that they were detained in the first half of 2011 for their suspected participation in protests and later released. They said that the police informed Saudi Aramco early on in their detention that they were being held and that the company dismissed them shortly afterwards. Following their release, the two tried to have themselves reinstated but Saudi Aramco said it could only reinstate them if it received a document from the authorities confirming they had been released and had not been convicted of any crime.

Out of the six Saudi Aramco employees dismissed while in detention known to Amnesty International, only one was given the necessary documentation from the Governor of the Eastern Province Prince Mohammed bin Fahd and consequently reinstated at Saudi Aramco. The remaining five, including one who had worked there for more than 25 years, were not charged, tried or convicted of any crime, yet have been waiting for documentation, some since June 2011, and remain dismissed.

One Saudi Aramco employee was detained in late April 2011 for suspected participation in protests. Al-Qatif police station sent a letter to Saudi Aramco on 2 May 2011 to inform the company of his detention. However, the employee's father, who had access to his mail, opened a letter to his son from Saudi Aramco on 14 May 2011 which said: "Our records show that you have been absent from work without permission from 30 April 2011. If you do not show up by 24 May 2011 with an official document justifying your absence without permission, your services will be considered terminated starting from 25 May 2011 on grounds of Article 80 subparagraph 7 of the Labour Law." Saudi Aramco sent another letter on 25 May 2011, after the detained employee failed to show up at work, informing him that his services had been terminated due to his absence without authorization.

The employee's father met with the most senior officer at Dammam police station to ask him to release his son and to inform Saudi Aramco that he was being held in detention. The officer said that the authorities would provide documents to detainees upon their release.

The employee was released in late June 2011 and went to Saudi Aramco two days after his release to explain his circumstances. The Saudi Aramco official in charge asked the employee to bring a document from the authorities stating that he had been held in custody and that he was not convicted. The employee went to the police station in Dammam, which agreed to send a fax to Saudi Aramco. About a week later, the fax was still not sent. The employee told Amnesty International that he returned to the police station, where a senior officer told him: "The orders have changed... we received orders not to send such letters [to companies]."

On the same day, the employee met with the most senior officer at Dammam police station who shouted at him: "This is none of our business." The employee told the officer that Saudi

Aramco said that he could not be reinstated unless the company received the necessary documentation, and he explained to the officer that it was the way to prove that he had been held and therefore absent with a valid reason. The senior officer replied: "This is not my concern... We received orders from above and we cannot give you this document... you have to bear responsibility for your actions." The employee said: "But nothing was proven against me... I did not even take part in the protests." According to the employee, the senior officer replied: "You all say that you didn't take part in the protests... but in fact, you all did."

The employee then went to the Governor's Office in Dammam and filed a request to obtain the necessary documentation and explained that he needed it in order to be reinstated in his job. An official at the Governor's Office promised to resolve the situation and to provide him with the required document. Eleven months and nearly 40 visits to the Governor's Office later, the Saudi Arabian authorities have still not given the employee the document he needs. The remaining five dismissed employees have also been repeatedly trying to obtain similar documents, but only one was successful and was reinstated.

Saudi Aramco employees and their dependents receive free medical treatment at the Saudi Aramco Medical Service Organization (SAMSO). To Amnesty International's knowledge, at least one dismissed employee has a family member, his wife, who is pregnant and suffers from thalassaemia and used to benefit from free and regular medical treatment at SAMSO. Since her husband's dismissal, she has had to receive her treatment at another hospital because she can no longer benefit from SAMSO's medical services. Despite the loss of income for nearly a year, the family has no option but to pay for all the medical costs.

The family of Habib al-Ma'ateeq (see above), who works as an accountant at a petrochemical company, which is partially owned by the Saudi Arabian government,⁵⁰ reportedly received a letter from the company warning him that his services would be terminated if he failed to show up to work.

The family met with a company official and explained that Habib al-Ma'ateeq was held in detention. But the company official said he needed written confirmation from the security authorities. This is despite the fact that Habib al-Ma'ateeq was arrested by state security agents at his workplace.

On 13 March, Habib al-Ma'ateeq's family reportedly filed a letter to the GDI, requesting that the security services send an urgent letter to the petrochemical company informing it that he was held in detention. However, by 4 May 2012, the company had not received any message from the GDI relating to Habib al-Ma'ateeq and consequently his employment remains terminated.

With no trade unions permitted in Saudi Arabia, dismissed employees are unable to take collective action against their employers for unfair dismissals.

International human rights law protects the right to work, as well as the right not to be deprived of work arbitrarily or unfairly in Article 6 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).⁵¹ The Committee on Economic Social and Cultural Rights has clarified the content and obligations related to Article 6 in its General Comment No. 18 on "The Right to Work."⁵² In this, the Committee emphasized "the need to establish

a compensation mechanism in the event of loss of employment” and “to avoid any measure that results in discrimination and unequal treatment in the private and public sectors.”⁵³ Further, the Committee stipulated that the right to non-discrimination “is immediately applicable and is neither subject to progressive implementation nor dependent on available resources.”⁵⁴ The Committee highlighted, as a clear violation of the right to work, “the failure to protect workers against unlawful dismissal.”⁵⁵

The right to non-discrimination in access to work and in protections against unlawful dismissal covers discrimination on all grounds, including, specifically, religion, and political and other opinion.⁵⁶

Saudi Arabia is not a signatory to the ICESCR. Although it is a member country to the International Labour Organization (ILO) and has signed several ILO conventions, it has not ratified ILO Convention No. 87 (1948) on Freedom of Association and Protection of the Right to Organise, or Convention No. 98 (1949) on the Right to Organise and Collective Bargaining.

In the memorandum sent to the Saudi Arabian authorities on 16 May 2012, Amnesty International asked for information on what laws other than private-sector related laws, such as the Labour Law, apply to the employees of Saudi Aramco and other companies that are partially or fully owned by the Saudi Arabian government, since they are respectively fully and partially owned by the Saudi Arabian government; information on whether the Saudi Arabian government has any formal role in decision making within Saudi Aramco, including the dismissal of employees, and whether the government or other Saudi Arabian authorities, such as the Governor of the Eastern Province, Prince Mohammed bin Fahd, was involved in the decision to dismiss the six Saudi Aramco employees; clarification on why the Governor’s Office in the Eastern Province facilitated the reinstatement of one Saudi Aramco employee by providing the necessary documentation but has appeared reluctant to provide similar documents for at least five other dismissed employees; clarification on the content of the letter that the Governor’s Office provided to the employee who was reinstated, and on whether employees at Saudi Aramco and other companies have the ability to challenge dismissal decisions without the need to obtain documents from the Governor’s Office; clarification on the date, content and reasons for the orders given to the police station in Dammam asking them not to provide documents required by employers of detainees to prevent their dismissal on grounds of absence and/or to release detainees wishing to be reinstated in jobs they lost on grounds of their absence and on whether similar orders were given to other detaining authorities in Dammam or elsewhere in the Eastern Province and Saudi Arabia.

Amnesty International also wrote to Saudi Aramco on 18 May 2012 seeking responses and clarifications on the dismissal of employees on the grounds that they were absent without a valid reason while they were held in detention for their suspected participation in protests or other activities that would amount to the peaceful exercise of their rights to freedom of expression or assembly. At the time of this report going to print, Amnesty International had not received a response.

Amnesty International is calling on the Saudi Arabian authorities:

- to ensure that all those who have been dismissed from their jobs in the private sector, including companies owned partially or fully by the Saudi Arabian government, for exercising their right to freedom of expression and/or assembly since 2011, as well as in previous years, are reinstated, that their suspended salaries are reimbursed, and that their dismissal or the withholding or deduction of their salaries does not affect their financial and other employment rights and benefits, including medical services, retirement entitlements and pensions;
- more broadly, to ratify the ICESCR, ILO Convention No. 87 (1948) on Freedom of Association and Protection of the Right to Organise, and ILO Convention No. 98 (1949) on the Right to Organise and Collective Bargaining.

6. TRAVEL BANS

“I couldn’t take up offers because I’m banned from travelling... I don’t know what to do.”

A dismissed employee from a private company who was offered jobs outside Saudi Arabia but had to turn them down because he is banned from travelling.

Amnesty International has received reports of many people in the Eastern Province and elsewhere in Saudi Arabia who had travel bans imposed on them in 2011 after they exercised, or were suspected of exercising, their rights to freedom of expression and assembly.

Travel bans are sometimes imposed following other punitive measures taken against the same individual, such as arbitrary detention or employment-related penalties. Article 6 of Royal Decree No. M/24 and dated 28 Jamada al-Awwal 1421 (28 August 2000) states that a prohibition on travel can only be issued by a judicial ruling or a decision issued by the Minister of Interior for specified reasons that are related to security and that such a travel ban can only be imposed for a limited time.

However, two former detainees who were detained in March 2011 and April 2011 respectively and later released after signing pledges (see below) that they would not take part in protests in the future told Amnesty International, on separate occasions, that a travel ban was imposed on them following their release from detention without a reason being given or a time specified for the lifting of the ban. Both former detainees learned of the travel bans against them after being subjected to employment-related measures: one was subjected to a salary deduction as a public employee and the other was dismissed from a private company while in detention due to an absence without a valid reason.

On 18 January 2012, the authorities at the al-Haditha border crossing prevented one of the two former detainees, who had been held in detention for about a week in March 2011, from crossing to Jordan although he had travelled twice following his release with no problems. He asked who had issued the travel ban. Border officials told him they did not know and asked if he had committed a crime. The following day, the former detainee wanted to double-check if the travel ban against him applied across the country or if there was a specific problem at the al-Haditha border crossing. He went to the King Fahd Causeway border crossing that leads to Bahrain and border officers there confirmed the ban. They told him it was imposed by the Governor’s Office of the Eastern Province. The former detainee later learned from the Immigration and Passports Department that the travel ban was “open-ended” (*maftooha*), but he was unable to find out the reason for the ban.

About a week after he became aware of the travel ban against him, the former detainee filed a request to meet with the Eastern Province Governor Prince Mohammed bin Fahd. In his request, he mentioned that he had a family member who required medical treatment in the USA and provided a copy of the US visa. He was able to meet with the Deputy Governor,

Prince Jalawi bin Abdul Aziz bin Mosa'ed Al Saud, and tell him that he had a travel ban against him with no apparent reason and that the ban was ordered by the Governor's Office. The Deputy Governor said he would look into his case and asked him to submit an enquiry at the Governor's Office. Employees at the Governor's Office told the former detainee to check for a response after a week. A week later, the status of the enquiry was still "under review" (*qayd al-deraasa*). Despite regular queries, the former detainee has been unable to learn the reason behind the travel ban against him.

The second former detainee was told by the Immigration and Passports Department that the Ministry of Interior had imposed the open-ended (*maftooha*) travel ban against him without giving the grounds for this prohibition. The former detainee, who lost his job at a private company while he was being held in detention due to an absence without a valid reason, applied for jobs outside Saudi Arabia and in November 2011 and May 2012 had to turn down job offers in Kuwait and Qatar because of the travel ban. He told Amnesty International:⁵⁷

I lost my job in Saudi Arabia, and wherever I apply they don't take me because I was detained and therefore they consider me a security threat although I was never tried... so I started applying for jobs outside the country... but I couldn't take up offers because I'm banned from travelling... I don't know what to do.

Freedom of movement is protected in international law in Articles 13 of the Universal Declaration of Human Rights and Article 12 of the ICCPR. The Human Rights Committee has noted that freedom of movement includes the freedom to choose where one resides and the right to leave any country one chooses, including one's own.⁵⁸ The Committee underlined that restrictions are only permissible in exceptional circumstances: "To be permissible, restrictions [of the right to freedom of movement] must be provided by law, must be necessary in a democratic society for the protection of [national security, public order (ordre public), public health or morals and the rights and freedoms of others] and must be consistent with all other rights recognized in the Covenant".⁵⁹ The notion of "public order" in this connection does not relate to the specific public order of the state concerned but rather to an international standard of that which is necessary in a democratic society and must adhere to stringent standards on the necessity (proportionality) of the interference and on its compatibility with other human rights,⁶⁰ including the right to freedom of expression.

The UN Human Rights Committee has emphasized that any restrictions on freedom of movement must be consistent with the fundamental principles of equality and non-discrimination,⁶¹ and has clarified that the right to leave a country must include the right to obtain the necessary travel documents, including passports.⁶² Like other restrictions on the right to freedom of movement, processes for obtaining travel documents must comply with international law, in the sense that they cannot be arbitrary, unduly restrictive, discriminatory, or disproportionate to their aim.

In the memorandum sent to the Saudi Arabian authorities on 16 May 2012, Amnesty International asked for clarification on the legal basis for the travel bans imposed on the two former detainees, given that travel bans can only be issued for specified reasons that are related to security, and whether the reasons for their ban are linked to their participation in protests, since they have not been charged or tried or convicted of any offence; clarification

on why the authorities have not provided specific reasons and a definitive time period for such travel bans, as required by law; and information on whether those banned from travelling are able to challenge the bans in court and the details of any ongoing cases.

Amnesty International is calling on the Saudi Arabian authorities:

- to lift all travel bans imposed arbitrarily against those exercising their rights to freedom of expression and assembly;
- to enable Saudi Arabian nationals to exercise their rights to freedom of movement and travel freely outside the Kingdom including to seek work abroad.

7. INTIMIDATION

“You have a choice whether to sign or not. But if you don’t sign, you will not get out.”

An officer at Dhahran police station quoted by a former detainee as giving him an ultimatum to sign a pledge not to take part in protests again.

Amnesty International’s research shows that Saudi Arabian authorities have frequently intimidated detainees by asking them, as a condition for their release, to write and/or sign pledges that they would not repeat the activities they had been suspected of carrying out, even where those activities were peaceful and fell under their basic rights to freedom of expression and assembly.

Some of these detainees have said they did not engage in these activities and were picked up by the security for different reasons, such as for being present near a demonstration or having their car parked near a demonstration. Still, some detainees are asked to sign a pledge that they will “no longer” take part in such protests as a condition of their release.

One former detainee, released after about a week in detention without charge or trial in March 2011, told Amnesty International what had happened at the police station in the Eastern Province city of Dhahran:

The lieutenant told me: “You have a choice whether to sign or not. But if you don’t sign, you will not get out.” I read the pledge and I remember well that it said that the fatwa issued by the Council of Senior Ulema ruled that protests are haram (religiously forbidden)⁶³ and that if I protest again, I would be committing a religiously forbidden act and that the authorities would have the right to punish me. I told the lieutenant that I actually did not protest but that, even if I did, I should not be condemned by a fatwa. He told me that if I didn’t sign, I would be breaking allegiance to the ruler and disobeying him. I just wanted to get out so I signed.

Another detainee, who was held for two months in various security facilities including the GDI in Dammam without charge or trial, was released in the second half of June 2011 along with his relative. Both were taken to a police station in Dammam to complete the procedures of their release, including signing a pledge that they had repented and that they would not take part in protests in the future.

While the detainee signed the pledge immediately, his relative initially refused to sign the pledge saying that his signature would be a confession to something that he had not done. A security officer at the police station shouted at him and ordered him to sign. However, the relative, who in the 1990s was held for three years without charge or trial following the 1996 al-Khobar bombing, continued to argue with the security officer. The officer then threatened to take him back to prison unless he signed the pledge. The man finally agreed to sign the pledge and both detainees were released.

Amnesty International also obtained a copy of a pledge with a letterhead indicating that it was produced by the Investigation Unit for Minors (*wehdat tahqeeq al-ahdath*) that is under the authority of the Ministry of Interior's police directorate in Dammam. The pledge requires the signature of the legal guardians of minor detainees to "guarantee the non-repetition of what he did by participating in events that took place in the governorate of al-Qatif this year of 1432 [approximately 2011]⁶⁴ by going to the streets in marches and protests, and to guarantee that he will not carry out any act that disrupts the security of the state and public order or any criminal act."

Giving people a choice between remaining in detention and being released on condition that they do not exercise their rights to freedom of expression and assembly is a violation of basic human rights. Even if detainees or their families choose under duress to sign such pledges, Amnesty International recognizes that the pledges do not change in any way the signatories' rights to freedom of assembly and expression. However, the fact that the Saudi Arabian authorities are putting pressure on detainees to sign documents confessing to acts that may lead to additional retaliatory measures in the future appears to be a way for the Saudi Arabian authorities to continue to threaten these individuals.

International human rights standards protect the right "not to be compelled to testify against himself or to confess guilt" through Article 14(g) of the ICCPR. This right is broad and prohibits the authorities from engaging in any form of coercion, whether direct or indirect, physical or psychological. It prohibits torture and cruel, inhuman or degrading treatment.⁶⁵

In addition, threats of future retaliations for exercising the right to freedom of expression, also protected by international human rights law, will most certainly have a chilling effect on the enjoyment of this right, in circumvention of the state's obligation to respect, protect, and fulfil all human rights without discrimination.

Amnesty International is calling on the Saudi Arabian authorities:

- to order the relevant authorities to stop forcing detainees to sign pledges, whether as a condition for their release or as a threat of taking additional punitive measures against them.

ENDNOTES

¹ Interview conducted by Amnesty International on 27 April 2012.

² Munir al-Jassas had been arrested in November 2009; Mohamed Al Labbad in January 2010; and Ramzi Al Jamal in June 2010.

³ In February 2009 members of the Committee for the Prevention of Vice and Promotion of Virtue (CPVPV), also known as the religious police, took video footage of Shi'a women who were visiting the tomb of the Prophet Muhammad in Medina. This angered a wider group of Shi'a men and women visiting the tomb and led to them protesting outside the offices of the CPVPV in Medina to request the handover of the footage. The situation escalated into a series of clashes when members of the CPVPV attacked the protesters; a number of the protesters were injured and at least nine were arrested but released after about one week in detention. The incident sparked demonstrations in the Eastern Province, following which at least 10 members of the Shi'a community, including six boys aged 14-16, were arrested and detained. On 14 March 2009, reporting on the arrests of members of the Shi'a community, the Minister of the Interior stated: "Citizens have both rights and duties; their activities should not contradict the doctrine followed by the Ummah [Muslim community]. It is the doctrine of Sunnis and our righteous forefathers. There are citizens who follow other schools of thought and the intelligent among them must respect this doctrine."

⁴ "Three Saudi Shi'ites released after rare protest", Reuters, 20 February 2011, at <http://af.reuters.com/article/egyptNews/idAFLDE71JONZ20110220?pageNumber=1&virtualBrandChannel=0> accessed on 22 May 2012.

⁵ A 10th man was said to have been arrested in connection with the al-Khobar attack in July 1996 and transferred to al-Ha'ir prison in Riyadh. About two years after his arrest, his brother was said to have been summoned by the Saudi Arabian authorities to go to Riyadh, where he was told the detainee had died and been buried in Riyadh. For more information see Amnesty International report, Saudi Arabia: *Repression in the name of security* (Index: MDE 23/016/2011), 1 December 2011, at <http://www.amnesty.org/en/library/asset/MDE23/016/2011/en/126dda68-1c2f-4f3e-b986-3efa797d3b9d/mde230162011en.pdf>

⁶ The bombing of the al-Khobar Towers Complex resulted in the killing of 19 US servicemen.

⁷ Amnesty International report, *Flawed Reforms: Bahrain fails to achieve justice for protesters* (Index MDE 11/014/2012), 17 April 2012, at <http://www.amnesty.org/en/library/asset/MDE11/014/2012/en/a23b192e-c518-49e1-8a97-c11e4789f06f/mde110142012en.pdf>

⁸ Amnesty International report, *Arms Transfers to the Middle East and North Africa: Lessons for an effective arms trade treaty* (Index: ACT 30/117/2011), 19 October 2011, at <http://www.amnesty.org/en/library/asset/ACT30/117/2011/en/049fdeee-66fe-4b13-a90e-6d7773d6a546/act301172011en.pdf>

⁹ Interviews conducted by Amnesty International in April and May with several members of the Shi'a Muslim community in the Eastern Province.

¹⁰ See Article 114 on the Law on Criminal Procedures.

- ¹¹ Interview conducted by Amnesty International with a relative on 18 April 2012.
- ¹² The GDI is the main internal security force responsible for arresting and detaining people in the name of security. It has used fear and repression to counter critics of the state and monitors without accountability those it sees as political opponents and imprisons those it sees as threats.
- ¹³ For more information on al-Qassab and the other men see Amnesty International report, *Saudi Arabia: repression in the name of security* (Index MDE 23/016/2011), 1 December 2011, at <http://www.amnesty.org/en/library/asset/MDE23/016/2011/en/126dda68-1c2f-4f3e-b986-3efa797d3b9d/mde230162011en.pdf>.
- ¹⁴ Interviews conducted with relatives on 29 March, 16 April and 2 May 2012.
- ¹⁵ See statement of the Ministry of Interior (in Arabic), Saudi Press Agency (SPA), 2 January 2012, at http://www.spa.gov.sa/readsinglenews.php?id=957983&content_id= and http://www.spa.gov.sa/readsinglenews.php?id=957984&content_id= accessed on 22 May 2012.
- ¹⁶ Interviews conducted by Amnesty International with relatives on 29 March and 4 May 2012.
- ¹⁷ Interview conducted by Amnesty International with a relative on 27 April 2012.
- ¹⁸ Interview conducted by Amnesty International with a relative on 26 April 2012.
- ¹⁹ Interview conducted by Amnesty International with a relative on 20 April 2012.
- ²⁰ Interview conducted by Amnesty International with a relative on 26 April 2012.
- ²¹ Interviews conducted by Amnesty International with a relative on 19 March 2012 and follow-up interviews on 20 March, 2 May and 4 May 2012.
- ²² Nazeer al-Majed's article is available at http://www.almothaqaf.com/index.php?option=com_content&view=article&id=46544:2011-04-02-12-07-24&catid=36:2009-05-21-01-46-14&Itemid=54 accessed on 22 May 2012.
- ²³ Amnesty International urgent action, *Shi'a cleric at risk of torture*, UA 58/10 (Index: MDE 23/004/2011), 4 March 2011, at <http://www.amnesty.org/en/library/asset/MDE23/004/2011/en/7f9c8ed6-b6ff-4c61-b085-e254d76ac8c5/mde230042011en.pdf>
- ²⁴ Amnesty International urgent action, *Further information on UA 58/10: Shi'a cleric released* (Index: MDE 23/006/2011), 7 March 2011, at <http://www.amnesty.org/en/library/asset/MDE23/006/2011/en/21f91c9e-dbec-4a91-964c-41084bcbd5d9/mde230062011en.pdf>
- ²⁵ Amnesty International urgent action, *Saudi Shi'a cleric arrested*, UA 242/11 (Index: MDE 23/020/2011), 11 August 2011, at <http://www.amnesty.org/en/library/asset/MDE23/020/2011/en/2987b5c4-39ca-44d9-b249-944d3b2c3efb/mde230202011en.pdf>
- ²⁶ Human Rights Committee, *Albert Womah Mukong v Cameroon*, (458/1991), 21 July 1994, UN Doc. CCPR/C/51/D/458/1991; Human Rights Committee, *El-Megreisi v Libyan Arab Jamahiriya*, (440/1990), 23 March 1994, UN Doc. CCPR/C/50/D/440/1990.
- ²⁷ The Human Rights Committee has stressed that the protection of the detainee requires that prompt

and regular access be given to doctors and lawyer. Human Rights Committee, "General Comment No. 20, Replaces general comment 7 concerning prohibition of torture and cruel treatment or punishment (Art. 7)" 10 March 1992, para. 11.

²⁸ See United Nations Standard Minimum Rules for the Treatment of Prisoners, approved by the Economic and Social Council by its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977.

²⁹ Preliminary Observations of the Human Rights Committee: Peru, UN Doc. CCPR/C/79/Add.67, paras 18 and 24, 25 July 1996.

³⁰ Amnesty International urgent action, *Human right activist held incommunicado*, UA 180/11 (Index: 23/012/2011), 15 June 2011, at <http://www.amnesty.org/en/library/asset/MDE23/012/2011/en/ef48e0d4-3139-41e8-849e-99591adc2bd1/mde230122011en.pdf>

³¹ Amnesty International urgent action, *Saudi human rights activist rearrested*, UA 304/11 (Index: MDE 23/026/2011), 13 October 2011, at <http://www.amnesty.org/en/library/asset/MDE23/026/2011/en/b341ba07-bb3e-4019-a3d0-1018d7e6c662/mde230262011en.pdf>

³² Amnesty International urgent action, *Saudi human rights activist facing trial*, Further information on UA 304/11 (Index: MDE 23/008/2012), 5 April 2012, at <http://www.amnesty.org/en/library/info/mde23/008/2012>

³³ Amnesty International is withholding the name of the individual involved as it was unable to contact either the person concerned or their family or lawyer.

³⁴ Amnesty International is withholding the exact date and place of the ruling to maintain the anonymity of the individual involved.

³⁵ According to Article 6, paragraph 1, "anyone who produces or prepares or stores through the information network or any kind of computers what may disrupt public order or religious values or public decency or private life shall be punished with an imprisonment that does not exceed five years and a fine that does not exceed three million riyals or either of these two penalties".

³⁶ Amnesty International is withholding the name of the detainee to protect him from reprisals; interview conducted by Amnesty International on 6 September 2011.

³⁷ Amnesty International is withholding the name of the former detainee to protect him from being subjected to re-arrest.

³⁸ Interview conducted by Amnesty International on 2 April 2012.

³⁹ Interview conducted by Amnesty International with a relative on 18 April 2012.

⁴⁰ Interview conducted by Amnesty International with a credible source on 10 May 2012.

⁴¹ See Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in particular Articles 12 and 14.

⁴² An *amr sami* is usually issued by King Abdullah bin Abdul Aziz in his capacity as Prime Minister or by a deputy prime minister.

⁴³ The Rules governing the Duties of Employees was issued by a ministerial decision numbered 703/10800 and dated 30 Shawwal 1427 (21 November 2006) and which went into effect on 4 Dhul-Qadah 1427 (25 November 2006).

⁴⁴ Interview conducted by Amnesty International on 19 April 2012.

⁴⁵ Amnesty International obtained the copy of this confidential disciplinary decision by the Ministry of Education on 19 March 2012.

⁴⁶ Interview conducted by Amnesty International on 15 March 2012.

⁴⁷ The highest governmental religious body in Saudi Arabia, established by a royal decree in 1971.

⁴⁸ Issued by Royal Decree No. 51 on 23 Sha'baan 1426 (27 September 2005).

⁴⁹ Interviews conducted by Amnesty International on 2 April 2012 and 4 May 2012.

⁵⁰ Amnesty International is withholding the name of the company because it has not yet had the chance to communicate its concerns to it.

⁵¹ Article 6 of the ICESCR says: "(1) the States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right; (2) the steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual."

⁵² Committee on Economic Social and Cultural Rights, "The Right to Work, General Comment No. 18, Adopted on 24 November 2005, Article 6 of the International Covenant on Economic, Social, and Cultural Rights," E/C.12/GC/18, 6 February 2006.

⁵³ *Ibid.*, paras. 26 and 31(b).

⁵⁴ *Ibid.*, para. 33.

⁵⁵ *Ibid.*, para. 35.

⁵⁶ ICESCR, Article 2(2).

⁵⁷ Skype interview conducted by Amnesty International on 4 May 2012.

⁵⁸ Human Rights Committee, "General Comment No. 27, Freedom of movement", UN Doc CCPR/C/21/Rev.1/Add.9, 2 November 1999, para. 8.

⁵⁹ Human Rights Committee, "General Comment No. 27, Freedom of movement", UN Doc CCPR/C/21/Rev.1/Add.9, 2 November 1999, para. 11.

⁶⁰ Manfred Nowak, *U.N. Covenant on Civil and Political Rights, CCPR Commentary*, (N.P. Engel: Arlington, 2005), p. 277.

⁶¹ Human Rights Committee, "General Comment No. 27, Freedom of movement", UN Doc CCPR/C/21/Rev.1/Add.9, 2 November 1999, para. 18.

⁶² Human Rights Committee, "General Comment No. 27, Freedom of movement", UN Doc CCPR/C/21/Rev.1/Add.9, 2 November 1999, para. 9.

⁶³ The Council of Senior Ulema issued a fatwa on 5 March 2011 forbidding demonstrations. For more information see "Saudi clerics condemn protests and "deviant" ideas", Reuters, 6 March 2011, at <http://www.reuters.com/article/2011/03/06/us-saudi-protests-clerics-idUSTRE72510220110306> accessed on 22 May 2012.

⁶⁴ The year 1432 of the Islamic calendar began on 7 December 2010.

⁶⁵ Human Rights Committee, "General Comment 13_Equality before the courts and the right to a fair and public hearing by an independent court established by law", 13 April 1984, para. 14.

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