

SAUDI ARABIA

USCIRF-RECOMMENDED FOR COUNTRIES OF PARTICULAR CONCERN (CPC)

KEY FINDINGS

In 2021, religious freedom conditions in Saudi Arabia remained poor but had some incremental improvements. The government lifted some restrictions to allow women to [change](#) their legal names and [conduct](#) the Hajj pilgrimage without a male guardian's permission. As in years prior, the government also [removed](#) from textbooks some intolerant content directed at religious minorities, but other intolerant passages remained, and the government continued to [support](#) intolerant messaging in [other](#) areas. At the same time, Saudi Arabia continued to violate religious freedom egregiously, targeting religious minorities in particular.

In June, the government [executed Mostafa al-Darwish](#), a Shi'a Muslim participant in 2011 protests in the Eastern Province. In August, the government [executed](#) Ahmed bin Sa'eed Al Janabi for his participation in the same protests. In March 2021, the government [commuted](#) the death sentences of Shi'a prisoners Ali al-Nimr, Dawood al-Marhoon, and Abdullah al-Zaher, arrested in relation to protest activity in 2011. All were minors at the time, and human rights organizations allege they were [tortured](#) into confessions. Also in March, several United Nations (UN) Special Rapporteurs [expressed](#) concern that the charges against them represented "criminalization of the exercise of fundamental rights." The Saudi Specialized Criminal Court (SCC) resentedenced the accused to 10 years in prison. However, Saudi Arabia [released](#) Ali al-Nimr in October 2021, Abdullah al-Zaher in [November](#) 2021, and Dawood al-Marhoon in [February](#) 2022.

The government also persecuted those who [published](#) dissenting religious views on social media. In October, a court sentenced Yemeni journalist Ali Abulohoom to 15 years in prison on apostasy charges for posts on his Twitter account. Throughout the year, the government also [continued](#) to forbid any public

non-Muslim worship or the construction of non-Muslim houses of worship. It also delayed trials for several religious prisoners of conscience, including [Hassan Farhan al-Maliki](#) and [Salman al-Ouda](#). Palestinian poet Ashraf Fayadh [remains](#) in prison on an eight-year sentence on [charges](#) of blasphemy and promoting atheist thought.

Four members of the Bohra Shi'a community remained in prison in Riyadh on multiyear sentences following spurious charges of money laundering and violating charity collection regulations. Three are in their 60s and two have underlying medical issues, putting them at high risk. The government also continues to detain activists who protested peacefully against religious guardianship laws that position women as legal minors for life. In February, authorities [released](#) anti-guardianship activist Loujain al-Hathloul following the suspension of her prison sentence. In March, however, the Public Prosecution called for reimposition and extension of her sentence. In May, the Interior Ministry's General Directorate of Investigation in Riyadh [summoned](#) al-Hathloul to sign a document informing her that the Supreme Court had upheld her conviction. She remains under a travel and media ban. In June, the President of State Security [arrested](#) Asmaa al-Subaie over tweets criticizing the harsh sentences against those calling for changes to the guardianship system and other laws affecting women.

While the government has [limited](#) the power of the Committee for the Promotion of Virtue and the Prevention of Vice (CPVPV), it continues to harass religious minorities. During 2021, the CPVPV and police officers harassed pilgrims who visited cemeteries with religious significance in Mecca and Medina. Those who paused to reflect at significant gravesites were ordered to leave for allegedly worshipping those buried at the cemetery, a practice forbidden under the Saudi government's interpretation of Islam.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Saudi Arabia as a "country of particular concern," or CPC, for engaging in systematic, ongoing, and egregious violations of religious freedom, as defined by the International Religious Freedom Act (IRFA), and lift the waiver releasing the administration from taking otherwise legislatively mandated action as a result of the designation; and
- Impose targeted sanctions on Saudi government agencies and officials responsible

for severe violations of religious freedom by freezing those individuals' assets and/or barring their entry into the United States under human rights related financial and visa authorities, citing specific religious freedom violations.

The U.S. Congress should:

- Hold public hearings to amplify congressional concerns over prisoners of conscience in Saudi Arabia, and work

with like-minded parliamentarians in other countries to advocate for them and other prisoners of conscience to be released; and

- Pass the bipartisan [Saudi Educational Transparency and Reform Act](#), which requires the U.S. Department of State to report annually on religious intolerance in Saudi textbooks and efforts to remove this content.

KEY USCIRF RESOURCES & ACTIVITIES

- **Country Update:** [Religious Freedom Conditions in Saudi Arabia](#)
- **Factsheet:** [Saudi Arabia's Specialized Criminal Court](#)
- **Press Release:** [USCIRF Condemns Saudi Arabia's Latest Execution of Shi'a Man](#)
- **Hearing:** [State-Sanctioned Religious Freedom Violations and Coercion by Saudi Arabia and Iran](#)
- **Religious Prisoners of Conscience Project:** [Raif Badawi](#)

Background

Saudi Arabia has a population of approximately [34.8 million](#), 85–90 percent of whom are Sunni Muslims and 10–15 percent of whom are Shi'a Muslims. The UN estimates that 37 percent of the population are expatriates, including at least two million Christians, Hindus, Buddhists, Sikhs, practitioners of folk religions, and the unaffiliated. Non-Muslim or atheist citizens often hide their identity to avoid harsh social and official consequences. The ruling monarch, King Salman bin Abdel Aziz Al Saud, holds the title “Custodian of the Two Holy Mosques.” Crown Prince Mohammed bin Salman has systematically cracked down on both religious and political dissent despite overseeing economic reforms associated with [Saudi Vision 2030](#).

According to the 1992 Saudi Basic Law of Governance, the constitution is the Qur'an and the sunna (traditions of the Prophet). The judicial system is largely governed by a Saudi interpretation of Shari'a as informed by Hanbali jurisprudence, which imposes capital punishment for apostasy; openly declaring one's lesbian, gay, bisexual, transgender, and intersex (LGBTI) identity; and peaceful religious or political dissent. In February 2021, the Crown Prince [announced](#) the drafting of four laws, including a Personal Status Law, Civil Transactions Law, Penal Code for Discretionary Sentences, and Law of Evidence, that would standardize elements of Saudi law that directly impact freedom of religion or belief and would also mitigate discrepancies in court decisions on similar issues. In October, Minister of Justice Waleed al-Samani [confirmed](#) that creation of the draft laws was still in progress.

Restrictions on Minority Religions and Dissent

Saudi Arabia continued serious restrictions on freedom of religion or belief in 2021. No non-Muslim houses of worship may be constructed in the country. Shi'a Muslims continued to face discrimination in education, employment, and the judiciary, and they lack access to senior positions in the government and military. The building of Shi'a Muslim mosques remained restricted outside majority-Shi'a Muslim areas in the Eastern Province, and authorities often prohibit the Shi'a Muslim call to prayer in these areas. Christians, Jews, and other religious minorities meet only in private and have in the past faced harassment and targeting by the government. Saudi Arabia has sometimes used charges of [espionage](#) to target religious dissidents, a position endorsed on religious grounds by the CPVPV. In April 2021, the CPVPV [posted](#) a clip of a sermon on Twitter entitled “The Obligation to Kill Spies,” in which the late Sheikh Mohammed bin Saleh al-Othman says that Crown Prince Mohammed bin Salman is “obligated” to kill spies and that they are “not Muslim.”

Detention of Religious Prisoners of Conscience

While it has commuted the sentences of some Shi'a Muslim minors, the Saudi government continued its systematic [persecution](#) of

prisoners on the basis of religion or belief. Saudi Arabia's [SCC](#) routinely targets religious minorities and dissidents, imposing egregious and unduly harsh sentences, [denying](#) access to legal counsel, [delaying](#) judicial decisions, and convicting defendants based partially on confessions [obtained](#) through torture. Many SCC verdicts enforce laws whose overly vague and poorly defined terms lead to severe restrictions on Saudis' freedom of religion or belief, including the Anti-Cybercrimes Law (2007) and the Penal Law for Crimes of Terrorism and Its Financing (2014). The court also targets both Shi'a and Sunni clerics. Throughout 2021, the SCC continued to deny Sunni cleric [Hassan Farhan al-Maliki](#) due process. Authorities detained al-Maliki in September 2017 and charged him with 14 crimes for allegedly calling into question the fundamentals of Islam. A [September](#) 2021 SCC hearing for Maliki was [postponed](#) until October, then November, and [finally](#) December. Shi'a cleric Mohammad Hassan al-Habib, whom the SCC convicted in 2018, [suffered](#) a serious deterioration in health in 2021 while jailed at Dammam Prison. Authorities arrested al-Habib over the content of his sermons and his support of 2011 protests opposing government discrimination against Shi'a Muslims. In March 2021, the UN Human Rights Council's Working Group on Arbitrary Detention [concluded](#) that Sheikh al-Habib's detention was “a direct consequence of the exercise of his fundamental rights to freedom of thought, conscience, and religion.” Saudi Arabia also continued its detention of talk show host [Ali al-Omari](#), who discussed religious issues on his television network “4Shbab” and on his [personal](#) website. In 2017, he was arrested and charged in the SCC with “forming a terrorist youth organization,” among many other charges. His trial has not yet been completed, nor a sentence delivered.

Key U.S. Policy

The Joseph R. Biden administration indicated its intent to “[recalibrate](#)” the U.S.-Saudi relationship in February 2021. It released a [report](#) noting Saudi state responsibility for the killing of U.S. resident and journalist Jamal Khashoggi and announced a new form of visa restriction, a “[Khashoggi Ban](#),” that can be imposed on people who engage in “serious, extraterritorial counter-dissident activities” on behalf of a foreign government.

In June 2021, Senators Marco A. Rubio (R-FL) and Ronald L. Wyden (D-OR) [introduced](#) S.2142, the Saudi Educational Transparency and Reform Act. Similar to a 2019 resolution [introduced](#) in the House of Representatives by Joseph C. Wilson (R-SC), S.2142 would require the State Department to publish an annual report assessing the state of religious intolerance in textbooks in Saudi Arabia.

On November 15, the State Department [redesignated](#) Saudi Arabia as a CPC under IRFA but issued a national security waiver exempting it from punitive actions to which it would otherwise be subjected.