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Overview of human rights conditions in the Kingdom of Saudi Arabia and The Islamic Republic of Iran

Good morning. I wish to thank the USCIRF for inviting me to provide an overview of human rights conditions in Saudi Arabia and Iran, two of the more than 90 countries around the world that Human Rights Watch reports on. On January 13, we will publish online our country-by-country report on developments in 2021.

Although geopolitical rivals, the governments of Iran and Saudi Arabia are deeply repressive in similar ways. Here are 10 ways they fundamentally resemble one another:

1. **Intolerance of dissent.** Authorities in both countries have little tolerance for public questioning of the government's domestic or foreign policies, human rights, or the official interpretations of Islam. The list of Saudi and Iranian writers, lawyers, activists, and human rights defenders currently serving long prison terms on dubious charges stemming from their peaceful expression is long. A few courageous people continue to speak in defense of rights but know that they can be arrested at any time.
2. **Imperiled civil society.** While both countries have a legal framework to allow for independent associations, and Iran especially has many such associations, groups that openly challenge official orthodoxy by, for example, highlighting human rights abuses, risk dissolution, and the prosecution of its members.

3. **No independent judiciary.** When it comes to cases with a political coloration, courts are an appendage of the security apparatus, imprisoning defendants after sham trials, ignoring credible complaints of confessions extracted under torture, and sentencing defendants on such vaguely worded charges as “distorting the kingdom’s reputation” (in Saudi Arabia) and “assembly and collusion to act against national security” (in Iran).
4. **Frequent application of death penalty.** Both countries are among the world’s lead practitioners of capital punishment. According to Interior Ministry statements, Saudi Arabia executed 52 persons between January and September 2021. Iran in 2021 executed at least 254 people as of November 8. The legal systems in both countries provide also for corporal punishment, such as lashing, for certain offenses.
5. **Intolerance of religious minorities.** Shia-majority Iran and Sunni-majority Saudi Arabia are both intolerant of, and discriminate against, certain religious minorities. In Iran, Bahaism is considered a heretical sect and its adherents are subjected to severe discrimination in law and practice. Saudi Arabia, with few exceptions, does not tolerate public worship by adherents of religions other than Islam and systematically discriminates against Twelver Shia and Ismaili Muslims, including in public education, the justice system, and employment. Other speakers will cover this subject.
6. **Gender discrimination.** Women have an inferior status in law and practice in both countries. Saudi Arabia’s male guardianship system for women effectively renders them minors under the law. Women must still obtain a male guardian’s approval to get married or obtain certain types of healthcare. They face discrimination in relation to marriage, divorce, inheritance, and decisions relating to children, including child custody. Men can still file cases against daughters, wives, or female relatives under their guardianship for

“disobedience,” which have previously resulted in arrest, and forcible return to their male guardian’s home or imprisonment.

In Iran, women face discrimination in marriage, divorce, inheritance, and decisions relating to children. Under the Passports Law, a married woman may not obtain a passport or travel outside the country without the written permission of her husband, who can revoke such permission at any time. Under the civil code, a husband is accorded the right to choose the place of living and can prevent his wife from having certain occupations if he deems them against “family values.”

7. **Intolerance of sexual minorities.** Both countries punish sex outside marriage, including same-sex relations. In Iran, it is explicitly criminalized. The punishments for consensual homosexual sex include the death penalty, depending on the circumstances. Saudi Arabia has no written laws concerning sexual orientation or gender identity, but judges use principles of uncodified interpretations of Islamic law to sanction people suspected of having sexual relations outside marriage, including adultery, extramarital and same-sex relations with punishments that include flogging and imprisonment.
8. **Online censorship and surveillance.** Both countries police the Internet. Iran and Saudi both limit access to content and have prosecuted people for attempting to share human rights information through secure apps. Iran cut off or slowed down the internet during protests in 2019. Saudi Arabia uses spyware to conduct surveillance of dissidents at home and abroad.
9. **Transnational repression.** The Jamal Khashoggi killing is only the most dramatic example of Saudi Arabia acting beyond its borders to muzzle Saudis who peacefully dissent on government policies. Iran has a history of assassinating Iranians abroad. In 2020, an exiled dissident who had obtained refugee status in

France and traveled to Iraq was transferred to Iran and then sentenced to death and executed.

10. **Backing abusive governments abroad.** In their foreign policies, both countries support some of the most brutal governments and forces in the Middle East. Iran backs the government of Bashar Assad in Syria and Hezbollah in Lebanon. Saudi Arabia provides billions of dollars in aid to Egypt under President Abdelfattah Sisi and, of course, is the leading party in the coalition that has been fighting a war in Yemen, now in its seventh year, which has exacerbated the world's largest humanitarian crisis and killed 18,500 civilians, many in bombings that amount to war crimes.

I have listed 10 areas where the two countries overlap in their human rights practices but I want to highlight some differences.

Saudi Arabia has of course a huge population of **foreign workers**, over 6.2 million in the private sector alone according to official statistics. The abusive kafala (sponsorship) system allows employers to control migrant workers' legal status, fostering a range of abuses including exploitation that can amount to forced labor. The authorities also have arrested thousands of migrants and held them in arbitrary, long-term detention in abusive conditions, followed by expulsion to countries where some face grave dangers.

Iran holds **elections** for president, parliament, and the presidency, while Saudi Arabia holds elections only at the municipal level and on an irregular basis. Iran's presidential elections are manipulated, mainly by a vetting process of candidates that disqualifies the majority of candidates. The 2021 presidential election was not competitive, but others have been in the past. That said, the president wields much less power than Iran's unelected Supreme Leader, and unelected bodies under the Leader's control further diminish the powers of elected officials.

Iran has experienced sustained popular **street protest movements** in multiple cities, including the so-called Green Revolution in 2009 and socio-economic protests in 2019-2020. The security forces suppressed them using excessive and deadly force and large-scale arbitrary arrests. In Saudi Arabia, street protests are rare and rarely take on such dimensions, except for periods in the restive Shia-majority areas in the country's Eastern Province.

There have been modest reforms in both countries, narrowing the discrimination gap for women in Saudi Arabia, and the protection gaps for migrant workers, and restrictions on application of the death penalty. We have reported on a reduction in anti-Shia content in Saudi school textbooks. In Iran, a reform to the drug laws in 2017 substantially reduced the number of executions. You can find our reporting and analysis of these positive developments online; however, they do not fundamentally alter the grim picture of human rights conditions in both countries that I have given you here.

Policy recommendations to the US government.

Iran: Work with multilateral institutions like the UN Human Rights Council to produce statements of concern and press for access for rapporteurs and NGOs to examine human rights in-country; speak publicly about human rights conditions in Iran as part of a regional approach that includes criticism of allies like Egypt and Israel; and review restrictions on academic exchange programs that hinder contact with Iranian civil society.

Saudi Arabia: suspend arms sales in view of Saudi Arabia's conduct in its war in Yemen; publicly press for the release of persons unjustly detained or prevented from leaving the country; and reassess the entire U.S.-Saudi relationship, prioritizing human rights as part of that reassessment.

Thank you for this opportunity.