

Freedom in the World 2019

POLITICAL RIGHTS: 1 / 40 (+1)

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Saudi Arabia's king is chosen by his predecessor from among male descendants of the country's founder, though the choice must be approved by a council of senior princes. The king rules for life. King Salman bin Abdulaziz al-Saud appointed his son Mohammed bin Salman as crown prince in 2017, displacing the prince's older cousin, Mohammed bin Nayef, who was stripped of all official positions and put under house arrest. The cabinet, which is appointed by the king, passes legislation that becomes law once ratified by royal decree. King Salman also serves as prime minister, and Mohammed bin Salman serves as deputy prime minister and minister of defense.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The king appoints the 150 members of the Majlis al-Shura (Consultative Council), who serve in an advisory capacity, for four-year terms. The council has no legislative authority.

Limited nonpartisan elections for advisory councils at the municipal level were introduced in 2005. In the 2015 elections, two-thirds of the seats on the 284 councils were open to voting, while the minister of municipal and rural affairs held responsibility for filling the remainder through appointment. Women were allowed to vote and run as candidates for the first time, and a small number won seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral framework lacks constitutional protections, and the 2015 elections for municipal councils were subject to a number of onerous restrictions. The kingdom's rules on gender segregation were applied to campaigns, meaning no candidates could produce posters showing their faces or meet in person with voters of the opposite sex. Candidates were also barred from giving media interviews, leading many to campaign via social media. A number of candidates were disqualified for unclear reasons, though some were reinstated after appeals. Ultimately only a small fraction of the citizen population participated in the elections, reflecting doubts about the effectiveness of the advisory councils.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties are forbidden, and political dissent is effectively criminalized. Some of the country's most prominent political rights organizations and activists, including founding members of the banned Saudi Civil and Political Rights Association (ACPRA), have been arrested and sentenced to prison in recent years, and the crackdown persisted in 2018. Among those arrested during the year was ACPRA member Mohammed al-Bajadi. Many other political activists continued to serve lengthy prison sentences.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The current leadership has given no indication that it plans to allow competitive elections for positions of executive or legislative authority in the future. Opposition movements are banned, and the government is increasingly intolerant even of moderate critics. The Muslim Brotherhood, a Sunni Islamist political organization, is believed to have the sympathy of a substantial minority of Saudis, but it remains banned and has been designated as a terrorist group by the Saudi government since 2014.

Other groups and individuals that criticize the regime or call for political reform—whether Sunni or Shiite, Islamist or secularist—are subject to arbitrary detention. Many of those arrested in the crackdown that began in September 2017 had questioned or declined to vocally support the government's campaign to isolate Qatar over its relations with the Muslim Brotherhood and Iran. These included prominent reformist clerics such as Salman al-Awdah and Awad al-Qarni; prosecutors said in September 2018 that they were seeking the death penalty for both men.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4

The monarchy generally excludes the public from any meaningful political participation. In the absence of political parties, voters in Saudi Arabia's limited municipal elections are heavily influenced by tribal and religious leaders, many of whom benefit from close ties to the ruling establishment.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Although political rights are curtailed for all Saudi citizens, women, religious minorities, and LGBT (lesbian, gay, bisexual, and transgender) people face additional obstacles to participation given the kingdom's strict laws and customs on matters such as gender segregation and sexual activity, and its intolerance of religious groups that deviate from Wahhabism, a highly conservative and literalist interpretation of Sunni Islam. Some 30 women serve on the appointed Majlis al-Shura, and women

secured about 1 percent of the seats in the 2015 municipal council elections. Shiites reportedly hold a small number of seats on the Majlis al-Shura and many seats on municipal councils in Shiite-majority areas. Women and religious minorities are mostly excluded from leadership positions in the government. A woman was appointed in February 2018 as deputy minister of labor and social development to promote women's employment opportunities.

Noncitizens, who make up roughly a third of the population in Saudi Arabia, have no political rights, and citizenship can only be directly transmitted by a citizen father whose marriage is recognized by the state.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The kingdom's only elected officials serve on local advisory councils and have little or no influence over national laws and policies.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a significant problem. Although the government generates massive revenue from the sale of oil, which it redistributes through social welfare programs and as patronage, little is known about state accounting or the various direct ways in which public wealth becomes a source of private privilege for the royal family and its clients.

Crown Prince Mohammed bin Salman heads an anticorruption committee, which in 2017 ordered the detention of more than 200 people, many of whom were coerced into turning over billions of dollars in assets to the state. The crown prince's campaign coincided with a crackdown on dissent and targeted potential rivals within the royal family, leading observers to suggest that it was part of a broader effort to consolidate Mohammed bin Salman's political and economic control.

Independent whistle-blowers and anticorruption advocates continue to face punishment. Salah al-Shehi, a columnist at *Al-Watan*, was arrested in January 2018 and sentenced in February to five years in prison after he suggested in a television appearance that there was corruption in the royal court.

C3. Does the government operate with openness and transparency? 0 / 4

The functioning of government is largely opaque. There is little transparency on whether or how state funds are disbursed, or on the internal decision-making process that allocates them, and there is no public mechanism for holding senior decision-makers accountable. The state's oil revenues make up the vast majority of its financial resources, but these are tightly controlled by the royal family, which uses the same income to support itself.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? 0 / 0 (+1)

The government has long sought to suppress Shiite religious and cultural identity, associating it with Iran and regarding it as a threat to the regime's official Sunni and Wahhabi underpinnings. Systemic discrimination has stoked periodic protests in Shiite-majority areas, and the authorities have responded with harsh and often arbitrary security measures. In 2017, this included a decision to demolish a historic neighborhood in the largely Shiite town of Awamiya, which has long been a center for political unrest. The effort, which entailed the eviction of thousands of residents, prompted armed resistance and an extended siege. However, no similar incidents were reported in 2018.

Score Change: The score improved from -1 to 0 because there was no repetition of a 2017 incident in which the authorities physically destroyed a historic Shiite neighborhood as part of an effort to suppress dissent among the marginalized Shiite minority.

CIVIL LIBERTIES: 6 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16 (-1)

D1. Are there free and independent media? 0 / 4

The government controls domestic media content and dominates regional print and satellite-television coverage. Journalists can be imprisoned for a variety of vaguely defined crimes. A 2011 royal decree amended the press law to criminalize, among other things, any criticism of the country's grand mufti, the Council of Senior Religious Scholars, or government officials; violations can result in fines and forced closure of media outlets. All blogs and websites, or anyone posting news or commentary online, must have a license from the Ministry of Information or face fines and possible closure of the website.

In October 2018, Reporters Without Borders said that 15 journalists and bloggers or citizen journalists had been detained over the previous 12 months; the group estimated that between 25 and 30 were being held at the end of the year. Also in October, one of the country's most prominent journalists, Jamal Khashoggi, was murdered by Saudi agents inside the Saudi consulate in Istanbul. Khashoggi, who had been critical of the government under Mohammed bin Salman, had been working in the United States as a columnist at the *Washington Post*, but traveled to the consulate to obtain documents ahead of his planned marriage to a Turkish woman. Saudi officials denied for two weeks that he had died, and subsequently blamed rogue intelligence agents, but the evidence suggested that the crown prince had been involved.

During the two weeks between Khashoggi's death and the official admission that he had been killed, Saudi media blamed regional rival Qatar for supposedly fabricating his disappearance in order to harm Saudi Arabia's image. The state-controlled media have increasingly relied on defensive nationalist sentiment in response to criticism of human rights problems.

The country's first movie theater since the 1970s opened in April 2018, though films were still expected to be censored to some extent.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The 1992 Basic Law declares that the Quran and the Sunna are the country's constitution. Islam is the official religion, and all Saudis are required by law to be Muslims. A 2014 royal decree punishes atheism with up to 20 years in prison. The government prohibits the public practice of any religion other than Islam and restricts the religious practices of the Shiite and Sufi Muslim minority sects. The construction of Shiite mosques is constrained through licensing rules and prohibited outside of Eastern Province, where most Shiites live. Although the government recognizes the right of non-Muslims to worship in private, it does not always respect this right in practice.

Online commentary that touches on religion can be harshly punished. Among other prominent cases, liberal blogger Raif Badawi, arrested in 2012, received a 10-year prison sentence for blasphemy in 2014 and remained behind bars in 2018.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is restricted, and informers monitor classrooms for compliance with curriculum rules, including a ban on teaching secular philosophy and religions other than Islam. Despite changes to textbooks in recent years, intolerance in the classroom remains a significant problem, as some educators continue to espouse discriminatory and hateful views of non-Muslims and Muslim minority sects.

Academics face punishment for critical public analysis of government policies. Hatoon al-Fassi, a history professor and women's rights advocate, was arrested in June 2018, days after she had been quoted in the *New York Times* about her views on the crown prince's reforms. In October, well-known economist Essam al-Zamil, who had critiqued plans to privatize part of the state oil company, was charged with terrorism.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4 (-1)

Saudis are able to engage in some degree of private discussion on political and other topics, including criticism of certain aspects of government performance, both online and offline. However, severe criminal penalties deter more direct criticism of the regime and free discussion on topics like religion or the royal family. Laws are often vaguely worded to allow the state considerable discretion to determine what

constitutes illegal expression.

The climate for free expression deteriorated during 2018, as the arrests of women’s rights activists and various others who had criticized government policies—as well as the assassination of Jamal Khashoggi—served as warnings to ordinary Saudis to avoid public dissent. Following Khashoggi’s disappearance in October, law enforcement officials reminded citizens and residents that they could face five years in prison for spreading rumors or “fake news.”

Surveillance is extensive inside Saudi Arabia, and even Saudis living abroad are vulnerable to spying. In October, the University of Toronto’s Citizen Lab found surveillance software on the phone of Omar Abdulaziz, a Saudi dissident living in Canada who was in regular contact with Khashoggi before his assassination.

Score Change: The score declined from 2 to 1 because the detention of women’s rights activists and other mild critics of the government, and the assassination of journalist Jamal Khashoggi in Turkey, further deterred open discussion among ordinary residents.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is not respected, and the government has imposed harsh punishments—including the death penalty—on those who lead or participate in public protests. In one case in 2018, six Shiite activists were put on trial in a terrorism court for protest-related offenses. Five of the six faced possible death sentences, including Israa al-Ghomgham, a female activist.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Nongovernmental organizations must obtain a license from the government to operate. Until the adoption of a law on the topic in 2015, officials had approved licenses only for charitable groups; the authorities have expressed a desire to encourage the growth of civil society, but they continue to discourage independent work on human rights and governance issues. Reformist organizations have reportedly been denied licenses in practice, in some cases through arbitrary delays. Human rights activists and other civil society representatives face regular harassment and detention.

A number of prominent activists were serving lengthy prison sentences during 2018, and new arrests were also reported. In May, a month before women were allowed to drive for the first time, the authorities arrested several women who had campaigned for the change. They included activist Lujain al-Hathloul, blogger Eman al-Nafjan, and 70-year-old Aisha al-Manea. Several were accused of conspiring with foreign countries or terrorist groups. The arrests were seen as a signal that the government did not want activists to take any credit for its reform, and sought to discourage further independent activism on women’s rights. In July, Samar Badawi—sister of

detained blogger Raif Badawi—and Nassima al-Sadah, prominent campaigners against the kingdom's male guardianship laws, were also arrested. Saudi Arabia cut its diplomatic relations and restricted trade and travel with Canada in August after the Canadian foreign minister called for the release of the detained women's rights activists.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

No laws protect the rights to form independent labor unions, bargain collectively, or engage in strikes. Workers who engage in union activity are subject to dismissal or detention.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary has very little independence in practice. Judges are appointed by the king and overseen by the Supreme Judicial Council, whose chairman is also the justice minister. A special commission of judicial experts issues opinions that serve as guidelines for judges on the interpretation of Sharia (Islamic law), which forms the basis of Saudi law. Judges have significant discretion in how they interpret Sharia and do not have to publish an explanation of their judgments.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Defendants' rights are poorly protected by law. Detainees are often denied access to legal counsel during interrogation, and lengthy pretrial detention and detention without charge are common. Statistics on prisoners are lacking, and the number of political prisoners is therefore difficult to assess.

An antiterrorism law that took effect in 2014 includes lengthy prison sentences for criticizing the monarchy or the government. Among other provisions, it expanded the power of police to conduct raids targeting suspected antigovernment activity without judicial approval.

The hundreds of people arrested in the anticorruption crackdown in 2017 did not go to trial or pass through the judicial system, but were instead compelled to hand over assets to the government in return for being released. Supporters of the government claimed that the courts lacked the capacity to process the cases swiftly, and that taking the judicial route would have led to a years-long process.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Allegations of torture by police and prison officials are common, and access to prisoners by independent human rights and legal organizations is extremely limited. Physical abuse was allegedly used to force cooperation by detainees in the 2017 anticorruption campaign. Corporal punishment, most often lashing, is common in criminal sentencing. Capital punishment is applied to a wide range of crimes other than murder, including drug and protest-related offenses; juvenile offenders are not

exempt from the penalty. According to the British human rights group Reprieve, Saudi authorities carried out close to 150 executions in 2018.

Terrorism remains a serious threat. Saudi Arabia has also faced cross-border attacks, including ballistic missile strikes, by the Houthis, the armed rebel group that controls much of Yemen and is fighting a Saudi-led military campaign to dislodge them. Most of the missiles have caused little damage, but they have been aimed at oil facilities and Riyadh airport, among other apparent targets.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

The courts engage in routine discrimination against various groups, citing their interpretations of Sharia. A woman's testimony is generally given half the weight of a man's, and the testimony of anyone other than observant Sunni Muslims can be disregarded by judges.

Shiites, who make up 10 to 15 percent of the population, face socioeconomic disadvantages, discrimination in employment, and underrepresentation in government positions and the security forces.

Education and economic rights for Saudi women have improved somewhat in recent years, but women are still subject to extensive legal and societal discrimination, most notably through the guardianship system, in which every woman must rely on a close male relative to approve basic activities. For example, employers often require women to obtain their guardians' permission to work.

Same-sex sexual activity is generally understood to be prohibited under Sharia, and LGBT people, including transgender people, are at risk of harassment, discrimination, criminal punishment, and violence. In January 2018, several men were arrested after being seen in a video of what appeared to be a gay wedding, and in 2017 the police arrested nearly three dozen transgender women from Pakistan, at least one of whom died in custody.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

The government punishes activists and critics by limiting their ability to travel outside the country, and reform advocates are routinely stripped of their passports.

Gender segregation restricts freedom of movement for both men and women, but male guardianship and other factors impose especially onerous constraints on women. The long-standing ban on women driving was formally lifted in June 2018. In January, women were able to attend sporting events in stadiums for the first time, and both men and women could visit the movie theaters that began opening in April.

Foreign workers cannot change jobs unless they have a no-objection letter from their existing employer, and some employers confiscate workers' passports to prevent them from leaving.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

While a great deal of business activity in the kingdom is dominated by or connected to members of the government, the ruling family, or other elite families, officials have given assurances that special industrial and commercial zones are free from interference by the royal family.

Women require permission from a male guardian to obtain business licenses. Women also face legal discrimination regarding property rights, with daughters typically receiving half the inheritance awarded to sons.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

The religious police enforce rules governing gender segregation and personal attire, but their authority has been sharply curtailed in both law and practice since 2016.

There are a number of official restrictions on marriage. For example, Muslim women may not marry non-Muslims, citizens typically require permission to marry noncitizens, and men are barred from marrying women from certain countries. All sexual activity outside of marriage is criminalized, and the death penalty can be applied in certain circumstances. Women face legal disadvantages in divorce and custody proceedings.

A 2013 law broadly defined and criminalized domestic abuse, prescribing fines and up to a year in prison for perpetrators. However, enforcement remains problematic, with some officials prioritizing privacy and family integrity over safety and justice for victims. Women's ability to leave abusive relationships is also severely limited by the guardianship system.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

A number of amendments to the labor law that went into effect in 2015 granted broader rights and protections to workers in the private sector. However, the law does not apply to household workers, who are governed by separate regulations that provide fewer safeguards against exploitative working conditions.

Foreign workers—who make up more than half of the active labor force—enjoy only limited legal protections and remain vulnerable to trafficking and forced labor, primarily through employers' exploitation of the *kafala* visa-sponsorship system. In 2014, the Ministry of Labor ruled that expatriate workers who are not paid their salaries for more than three consecutive months are free to switch their work sponsors without approval. In practice, foreign workers are subject to periodic mass deportations for visa violations or criminal activity, though due process is often lacking in such cases. Government programs give preferential treatment to companies that hire certain percentages of Saudi citizens and penalize those that fail to meet such targets.