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## RESPONSES TO INFORMATION REQUESTS (RIRs)

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The Board		2 November 2004
About the Board	<b>SAU43102.FE</b>	
Biographies		
Organization Chart	Saudi Arabia: Treatment of a man who had sexual relations with a woman who was already engaged to another man, including his treatment by Saudi society, by the woman's family, by her fiancé's family and by Saudi authorities (January - October 2004)	
Employment		
Legal and Policy		
References	Research Directorate, Immigration and Refugee Board, Ottawa	
Publications		
Tribunal		
Refugee Protection Division	Limited information on the treatment of a man who had sexual relations with a woman who was already engaged to another man could be found among the sources consulted by the Research Directorate within the time constraints for this Response. The following information, however, could be useful.	
Immigration Division		
Immigration Appeal Division	An article on the Al-Fatiha Foundation, a non-governmental organization (NGO) located in Washington, DC, that is dedicated to Muslims who are lesbian, gay, bisexual or transgender listed a few illegal acts and their penalties in Saudi Arabia (Sodomy Laws 8 Jan. 2002). According to the school of thought in Saudi Arabia, which is used to interpret Sharia Law, adultery ( <i>zina</i> ) and sodomy ( <i>liwat</i> ) are punished by "stoning to death for married persons and 100 lashes and banishment for unmarried persons" (ibid.). An Amnesty International report referred to execution (death penalty) but not to stoning (AI 23 Sept. 2000).	
Decisions		
Forms		
Statistics		
Research		
Research Program	According to the same Saudi Arabian school of thought, four separate confessions are required, or four bystanders need to witness the act of adultery, in order for the person to be convicted of adultery ( <i>Country Reports 2003</i> 25 Feb. 2004, Sec. 1.e; Sodomy Laws 8 Jan. 2002). According to <i>Country Reports 2003</i> , prosecuting authorities sometimes coerce confessions by threats and abuse (25 Feb. 2004, Sec. 1.e).	
National Documentation Packages		
Issue Papers and Country Fact Sheets		
Responses to Information Requests	Less serious offences, such as "being alone in the company of a person of the opposite sex" are sometimes punished by caning ( <i>Country Reports 2003</i> 25 Feb. 2004, Sec. 1.c).	
Recent Research		
Media Centre		
News	According to an 18 February 2002 article in <i>Arab News</i> , a Saudi man was sentenced to 4,750 lashes and six years in prison for committing adultery with his sister-in-law. The woman, who confessed after learning that her cousins were aware of the affair, said that she agreed to have sex with the man several times in order to prevent him from making the scandal public; she was sentenced to 65 lashes and six months in prison ( <i>Arab News</i> 18 Feb. 2002).	
Information Sheets		
Media Relations		
Proactive Disclosure	A Miami University of Ohio associate professor of anthropology, who specializes in Saudi Arabian issues, provided the following information during a 29 October	

2004 telephone interview.

The associate professor said that there are definitely serious consequences if it is discovered that a woman who was already engaged to a man has had sexual relations with a man who is not her fiancé, since the mere suspicion of such an offence is serious (the suspected girl risks having to undergo a check for virginity). However, consequences vary according to the region of the country (city or village) and to the woman's relationship to the man involved (whether he is her cousin or not). For example, in Jeddah, people are usually more lenient because the entire population does not belong to a tribe; however, people in the tribal interior of the country, including Riyadh and the Bedouin communities, are more conservative and less tolerant of adultery.

The associate professor said that such cases rarely go before Saudi authorities, because, according to tribal customs, the cousin or future husband has the right to kill the fiancée. Sometimes, if the woman and her lover are discovered together, they are both killed. Moreover, Saudi authorities do not get involved in these situations because they are considered to be family matters. Generally, the woman is in a serious situation, regardless of the circumstances (even if she was raped). The associate professor did not think that Saudi Arabia offered any protection to these women against honour killings. Because there is often a preference for marriages between cousins, infidelity generally leads to rifts in the family.

The associate professor said that how a man in an unlawful relationship is treated depends on several factors. The man who has been betrayed (the fiancé, a brother or a cousin) will resent the woman for a long time and could eventually decide to kill her lover without any legal or social repercussions. A man who has been betrayed might think that the woman is fully responsible for the illicit relationship; her lover would therefore go unpunished. However, the man who has been betrayed might also believe that the two individuals conspired together, and he could decide to kill them both. If a woman manages to survive the incident, she would always be considered "damaged goods," and her chances of remarrying would be considerably jeopardized. In addition, because everyone would be aware of what had happened, the man's future might also be compromised.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

#### References

Amnesty International (AI). 23 September 2000. "Death Penalty." *Saudi Arabia: End Secrecy and Suffering*. (AI Index: MDE 23/09/00)  
<<http://www.amnesty.org/ailib/intcam/saudi/issues/dp.html>> [Accessed 29 Oct. 2004]

*Arab News* [Jeddah]. 18 February 2002. Saqr Al-Amry. "4,750 Lashes, Six-Year Jail for Adultery." <<http://www.arabnews.com/?page=1&section=0&article=12941&d=18&m=2&y=2002>> [Accessed 29 Oct. 2004]

Associate professor of anthropology who specializes in Saudi Arabian issues,

Miami University of Ohio. 29 October 2004. Telephone interview.

*Country Reports on Human Rights Practices for 2003*. 25 February 2004. United States Department of State. Washington, DC.  
<<http://www.state.gov/g/drl/rls/hrrpt/2003/27937.htm>> [Accessed 29 Oct. 2004]

Sodomy Laws. 8 January 2002. "Al-Fatiha Denounces Executions in Saudi Arabia."

<[http://www.sodomylaws.org/world/saudi\\_arabia/saudinews16.htm](http://www.sodomylaws.org/world/saudi_arabia/saudinews16.htm)> [Accessed 29 Oct. 2004]

#### Additional Sources Consulted

Attempts to contact the Arab Organization for Human Rights (AOHR) in Cairo, the Regional Human Security Center in Amman, and two other professors who specialize in Saudi Arabia were unsuccessful.

**Internet sites, including:** *Arabic News*, European Country of Origin Information Network (ECOI), Freedom House, Human Rights Watch (HRW), *Saudi Gazette Online*, Saudi Press Agency, World News Connection (WNC).

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