

UNIVERSAL PERIODIC REVIEW 2009

SAUDI ARABIA

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RELIGIOUS FREEDOM IN THE SAUDI ARABIA

SECTION 1: *Legal Framework*

I. Saudi Constitutional Provisions

Saudi Arabia is an Islamic monarchy.¹ The Saudi Constitution is comprised of the Koran, Sharia law, and the Basic Law.² “Islamic law forms the basis for the country’s legal code.”³ Strict Islamic law governs,⁴ and as such, the Saudi Constitution does not permit religious freedom. Even the practice of Islam itself is limited to the strict, Saudi-specific interpretation of Islam.⁵ Importantly, the Saudi government makes essentially no distinction between religion and government.⁶

According to its constitution, Saudi Arabia is a monarchy with a limited Consultative Council and Council of Ministers.⁷ The Consultative Council is governed by the Shura Council Law, which is based on Islam,⁸ and serves as an advisory body that operates strictly within the traditional confines of Islamic law.⁹ The Council of Ministers, expressly recognized by the Basic Law,¹⁰ is authorized to “examine almost any matter in the kingdom.”¹¹ The Basic Law was promulgated by the king in 1993 and operates somewhat like a limited “bill of rights” for Saudi citizens. Comprising a portion of the Saudi Constitution, the Basic Law broadly outlines “the government’s rights and responsibilities,” as well as the general structure of government and the general source of law (the Koran).¹² The Basic Law consists of 83 articles defining the strict, Saudi Islamic state. By declaring that Saudi Arabia is an Islamic state and by failing to make any

¹ U.S. Dep’t of State, *Saudi Arabia, Int’l Religious Freedom Report 2007* (Sept. 14, 2007) [hereinafter *Religious Freedom Report*], available at <http://www.state.gov/g/drl/rls/irf/2007/90220.htm>.

² U.S. Dep’t of State, *Background Note: Saudi Arabia* (February 2008) [hereinafter *Background Note*], available at <http://www.state.gov/r/pa/ei/bgn/3584.htm>; *Religious Freedom Report*, *supra* note 1. Islam as the Constitution of Saudi Arabia, <http://www.saudinf.com/main/c4.htm> (last visited July 29, 2008).

³ Library of Congress, Federal Research Division, *Country Profile: Saudi Arabia* (Sept. 2006), available at http://lcweb2.loc.gov/frd/cs/profiles/Saudi_Arabia.pdf.

⁴ *Background Note*, *supra* note 2.

⁵ See Barnabas Fund, *Application of the Apostasy Law in the World Today*, http://www.barnabasfund.org/News/archives/article.php?ID_news_items=294 (last visited Sept. 7, 2008).

⁶ Library of Congress, *supra* note 4.

⁷ *Background Note*, *supra* note 2.

⁸ Shura Council Law, Royal Decree No. A/91 (1992) (Saudi Arabia), available at <http://www.shura.gov.sa/englishsite/Elaw/law1.htm>. See also, Majlis al-Shoura Law, <http://www.saudinf.com/main/c520.htm> (last visited July 29, 2008).

⁹ Consultative Council: Introduction, <http://www.saudinf.com/main/c52.htm> (last visited July 29, 2008).

¹⁰ The Basic Law, arts. 8, 56-58 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

¹¹ Council of Ministers: Introduction, <http://www.saudinf.com/main/c5130.htm> (last visited July 29, 2008).

¹² Saudi Arabian Market Information Resource and Directory Web Site, *The Basic Law-Saudi Arabia Information*, <http://www.saudinf.com/main/c541.htm> (last visited July 24, 2008); see also *CIA Fact Book*, *supra* note 6; *Background Note*, *supra* note 2.

provision for non-Islamic religious liberties, the Basic Law necessarily prohibits the practice of any religion other than Islam. The following articles demonstrate this fact:

- Article 1: “The Kingdom of Saudi Arabia is a sovereign Arab Islamic state with Islam as its religion; God's Book and the Sunnah of His Prophet, God's prayers and peace be upon him, are its constitution, Arabic is its language and Riyadh is its capital.”¹³
- Article 7: “Government in Saudi Arabia derives power from the Holy Koran and the Prophet's tradition.”¹⁴
- Article 8: “Government in the Kingdom of Saudi Arabia is based on the premise of justice, consultation, and equality in accordance with the Islamic Shari'ah.”¹⁵
- Article 12: “The consolidation of national unity is a duty, and the state will prevent anything that may lead to disunity, sedition and separation.”¹⁶
- Article 23: “The state protects Islam; it implements its Shari'ah; it orders people to do right and shun evil; it fulfills the duty regarding God's call.”¹⁷
- Article 26: “The state protects human rights in accordance with the Islamic Shari'ah.”¹⁸
- Article 33: “The state establishes and equips the Armed Forces for the defence of the Islamic religion, the Two Holy Places, society, and the citizen.”¹⁹
- Article 48: “The courts will apply the rules of the Islamic Shari'ah in the cases that are brought before them, in accordance with what is indicated in the Book and the Sunnah, and statutes decreed by the Ruler which do not contradict the Book or the Sunnah.”²⁰
- Article 55: “The King carries out the policy of the nation, a legitimate policy in accordance with the provisions of Islam; the King oversees the implementation of the Islamic Shari'ah, the system of government, the state's general policies; and the protection and defence of the country.”²¹
- Article 67: “The regulatory authority lays down regulations and motions to meet the interests of the state or remove what is bad in its affairs, in accordance with the Islamic Shari'ah. . . .”²²

II. Legislation

While legislative reforms are currently proposed, a written law, similar to legal codes, is not generally available.²³ This is consistent with the tenets of Sharia law and is a common criticism of Saudi law.²⁴ In general, the public practice of non-Islamic religions is strictly prohibited by Saudi Islamic law.²⁵ There simply are no rights to assembly, free practice of religion or other

¹³ The Basic Law, art. 1 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

¹⁴ The Basic Law, art. 7 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

¹⁵ The Basic Law, art. 8 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

¹⁶ The Basic Law, art. 12 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

¹⁷ The Basic Law, art. 23 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

¹⁸ The Basic Law, art. 26 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

¹⁹ The Basic Law, art. 33 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

²⁰ The Basic Law, art. 48 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

²¹ The Basic Law, art. 55 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

²² The Basic Law, art. 67 (Saudi Arabia), available at <http://www.the-saudi.net/saudi-arabia/Saudi-constitution.htm>.

²³ Lillian Kwon, *Al-Qaeda terrorist accuses Saudi king of trying to 'spawn new religion,'* CHRISTIANITY TODAY, July 29, 2008, <http://www.christiantoday.com/article/alqaeda.terrorist.accuses.saudi.king.of.trying.to.spawn.new.religion/21025.htm>.

²⁴ E.g., Saudi Arabia Events of 2007, HUMAN RIGHTS WATCH, <http://hrw.org/englishwr2k8/docs/2008/01/31/saudia17618.htm> (last visited July 28, 2008).

²⁵ E.g., *Religious Freedom Report*, supra note 1.

guarantees of religious liberty: “The Saudi government denies its citizens basic rights to free speech, assembly and association, commits abuses with impunity, and systematically discriminates against migrant workers, women and religious minorities.”²⁶ No non-Sunni-Muslim places of worship are permitted—i.e., churches and synagogues are prohibited.²⁷

Saudi Arabia formally enforces Islamic law through the Mutaween, the Saudi government’s religious police. The Mutaween are semiautonomous²⁸ with “largely unchecked power to curtail [individual] rights.”²⁹ The Mutaween are notoriously intolerant of non-Muslims.³⁰ Enforcement of Islamic moral and social behavior includes armed and unarmed actions—the enforcement includes, e.g., Islamic dress codes, association between males and females, five daily Islamic prayers, and limits on public displays of non-Islamic religions (i.e. Christmas decorations). Legally, the Mutaween are not permitted to make arrests without police accompaniment and are not allowed to detain individuals for more than 24 hours.³¹ Abuses, however, are well known with critics accusing the Mutaween of acting “above the law” and with general impunity.³² Such abuses include arbitrary arrests, interrogations, torture, deportation, harassment, and illegal detention.³³ Recent reports imply that these abuses are on the decline,³⁴ but reports also indicate that many believe the Mutaween will not be held accountable for abuses.³⁵

As of January 2007, 3,227 Mutaween operated in Saudi Arabia.³⁶ Additionally, an unknown number of “unofficial” volunteers aggressively patrol for religious “violations.”³⁷ The annual incident reports of the Mutaween demonstrate the extent of their enforcement activities and the disproportionate enforcement against non-Muslims. According to U.S. Department of State reports, in 2005-06, a total of 390,117 “incidents” were investigated. Such incidents involved 402,725 persons. Of these incidents, only 25 percent involved Saudi citizens (i.e. Muslims),³⁸ while the remaining 75 percent, by definition, involved non-Muslims. Considering the population of Saudi Arabia, the estimated incidence of involvement by Muslims was 0.5% but was 4.2% for non-Muslims.³⁹ Additional reports indicate that non-citizens are required to carry identity cards that note whether the non-citizen is a Muslim. Reports indicate that the Mutaween use the renewal of these required cards as leverage to pressure non-Muslims into abstaining from their own religious practices.⁴⁰

III. Judicial System

²⁶ *E.g., id.* (“[T]here is no legal recognition or protection of religious freedom, which is severely restricted in practice.”). See also *France/Saudi Arabia: Sarkozy Should Raise Human Rights Issues in Saudi Arabia*, Human Rights Watch, <http://hrw.org/english/docs/2008/01/11/saudia17761.htm> (Jan. 11, 2008) (last visited July 30, 2008).

²⁷ U.S. Comm’n on International Religious Freedom, *Policy Focus: Saudi Arabia*, at 15 (2007) [hereinafter *Policy Focus 2007*].

²⁸ *Religious Freedom Report, supra*, note 1.

²⁹ *Policy Focus 2007, supra* note 29, at 5.

³⁰ *E.g., id.* at 17-18.

³¹ *E.g., Religious Freedom Report, supra* note 1.

³² *Policy Focus 2007, supra* note 29, at 18.

³³ *E.g., Religious Freedom Report, supra* note **Error! Bookmark not defined.**; *Policy Focus 2007, supra* note 29, at 17-18.

³⁴ *Religious Freedom Report, supra* note 1.

³⁵ *Policy Focus 2007, supra* note 29, at 18.

³⁶ *Religious Freedom Report, supra* note 1.

³⁷ *Policy Focus 2007, supra* note 29, at 17.

³⁸ *Religious Freedom Report, supra* note 1.

³⁹ The estimated population of Saudi Arabia is 27 million with 7 million, non-Muslim foreigners. *Policy Focus 2007, supra* note 29, at 3.

⁴⁰ *Religious Freedom Report, supra* note 1.

Saudi law is based on Sharia (Islamic) law⁴¹ and applies to both Muslims and non-Muslims in the country.⁴² The court system consists of three primary levels: General Courts (trial courts), Appellate Courts, and the Supreme Judicial Council (a final court of appeal requiring the king's approval).⁴³ A fourth Summary Court, with all decisions made by one judge, appears to handle minor cases.⁴⁴ Consistent with Sharia law, Saudi Arabia does not have a codified, penal code. This lack of a formal penal code permits arbitrary and indeterminate charges contrary to the western concept of the rule of law.⁴⁵ For instance, while the "law prohibits imprisonment for more than three days without being charged with a crime . . . ," reports indicate that this law is ignored, particularly by the Mutaween. Additionally, testimony provided by women and non-Muslims is afforded less weight than that provided by Muslims.⁴⁶

In 2008, Saudi Arabia made some reformist overtures and appeared to be liberalizing its legal system.⁴⁷ New initiatives have been proposed in an effort to codify Sharia law so as to prevent human rights abuses.⁴⁸ Skepticism remains, however, as to whether these reforms will make a significant change in the legal system.⁴⁹ One critic of the alleged reforms remarked that "the Saudis . . . are not best placed to host a meeting on religious tolerance." Other judicial reforms in 2002, such as requiring that judicial proceedings be open to the public, have been unsuccessful.⁵⁰

⁴¹ *CIA Fact Book*, *supra*, note 6; see also, Paul Marshall, *Islam's Uncertain Future*, CHRISTIANITY TODAY, <http://www.christianitytoday.com/ct/2006/february/36.62.html> (last visited July 28, 2008).

⁴² JURIST.law.pitt.edu, Saudi Arabia: Constitution, Government & Legislation, <http://jurist.law.pitt.edu/world/saudiarabia.htm> (last visited July 24, 2008).

⁴³ Library of Congress, *supra* note 4. See also The Law of the Judiciary, Royal Decree No. M/64, art. 5 (1975) (Saudi Arabia) (defining three main court levels with a fourth level, summary [offense] court).

⁴⁴ The Law of the Judiciary, Royal Decree No. M/64, arts. 24-25 (1975) (Saudi Arabia).

⁴⁵ Christopher Wilcke and Clarisa Bencomo, *Code for oppression*, Human Rights Watch (Apr. 7, 2008), <http://hrw.org/English/docs/2008/04/07/saudia18494.htm> (last visited July 24, 2008).

⁴⁶ Library of Congress, *supra* note 4.

⁴⁷ Middle-East-Online.com, Saudi to present liberal face at Madrid forum, <http://www.middle-east-online.com/english/Default.pl?id=26826> (July 10, 2008).

⁴⁸ *Riyadh considers written laws for use in Islamic tribunals*, ASIANEWS.IT, <http://www.asianews.it/index.php?l=en&art=12832&geo=42&size=A> (July 23, 2008).

⁴⁹ Magdi Abdlehadi, *Saudis to retrain 40,000 clerics*, BBC NEWS, http://news.bbc.co.uk/2/hi/middle_east/7308040.stm (March 20, 2008).

⁵⁰ *Religious Freedom Report*, *supra* note 1. See The Law of the Judiciary, Royal Decree No. M/64, art. 33 (1975) (Saudi Arabia).

SECTION 2: *Recent Religious Persecution or Discrimination*

Selected Recent Incidents of Persecution or Discrimination⁵¹

A. Violence / Discrimination Against Religious Minorities

1. August 2007 – Christian doctor detained by Saudi government because of his faith.⁵²
2. December 2006 – Religious police raid private gathering of minority Muslim sect⁵³
3. October 2006 – Filipino priest arrested, detained for one week; Bibles confiscated⁵⁴
4. June 2006 – Four Christians arrested for praying at home⁵⁵
5. April 2006 – Catholic priest arrested, deported⁵⁶
6. 2006 – Religious police raid Filipino Christian gatherings, confiscate Bible and other Christian symbols⁵⁷
7. May 2005 – Eight protestant leaders arrested for their faith⁵⁸
8. April 2005 – 40 Pakistani Christians arrested in church raid⁵⁹

B. Anti-Proselytism

1. October 2006 – Filipino Christian charged with proselytizing; detained, beaten and deported after 8 months⁶⁰
2. October 2004 – Christian man sentenced to ten months in prison, 300 lashes for preaching Christianity⁶¹

C. Anti- and Forced Conversions

1. July 2007 – Apostasy in Saudi Arabia subject to death penalty⁶²
2. May 2007 – Saudi man arrested, tortured for converting from Islam to Christianity⁶³
3. June 2005 – Christians arrested for faith released on condition of renouncing Christianity⁶⁴
4. December 17, 2004 – Saudi Christian convert arrested and jailed⁶⁵

D. Blasphemy

1. May 2008 – Saudi web critic and Turkish barber on trial for “insulting” Islam⁶⁶
2. November 2005 – Teachers jailed, beaten on blasphemy charges⁶⁷

⁵¹Each incident referenced is accompanied by a web link to the news story, which can be found in the Appendix.

⁵² <http://www.christiantoday.com/article/saudi.arabia.traps.christian.surgeon.for.faith.in.jesus/12061.htm>

⁵³ *Religious Freedom Report*, *supra* note 1.

⁵⁴ *Id.*

⁵⁵ <http://www.asianews.it/index.php?l=en&art=6475&size=A>

⁵⁶ http://www.catholic.org/international/international_story.php?id=19445

⁵⁷ *Religious Freedom Report*, *supra* note 1.

⁵⁸ <http://www.asianews.it/index.php?l=en&art=3411&size=A>

⁵⁹ <http://www.worthylinks.com/view/2314>

⁶⁰ *Religious Freedom Report*, *supra* note 1.

⁶¹ <http://www.asianews.it/index.php?l=en&art=1776#>

⁶² http://www.barnabasfund.org/News/archives/article.php?ID_news_items=294

⁶³ *Religious Freedom Report*, *supra* note 1.

⁶⁴ <http://www.asianews.it/index.php?l=en&art=3469&size=A#>

⁶⁵ <http://www.asianews.it/view.php?l=en&art=2134>

⁶⁶ <http://hrw.org/english/docs/2008/05/13/saudia18816.htm>

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APPENDIX

Section 2

A. Violence / Discrimination Against Religious Minorities

1. Saudi Arabia Traps Christian Surgeon for Faith in Jesus

August 3, 2007

<http://www.christiantoday.com/article/saudi.arabia.traps.christian.surgeon.for.faith.in.jesus/12061.htm>

A US-based Christian rights group has raised the alarm over the plight of an Egyptian Christian reportedly being detained by the Saudi Arabia Government because of his faith.

Dr Mamdooh Fahmy, who was working as a surgeon in Saudi Arabia, wrote a letter to International Christian Concern appealing for help to return home to Egypt. His prior attempts to go home for over two years have been futile with the Saudi Government refusing to grant him the required exit visa.

The Christian surgeon was working at Albyaan Menfhoh Medical Center in Riyadh, Saudi Arabia, before he was removed from his position at the centre six months ago, according to ICC. Since then, Fahmy has not been able to obtain another work permit because of his Christian faith.

Harassments targeted at Fahmy began in 2004 when his Muslim colleagues at the medical centre repeatedly pressured him to become a Muslim. After becoming tired of enduring the taunts, Fahmy told his co-workers that he was a Christian and would not change his religion. In response, the group accused him of being a missionary.

In Fahmy's letter to ICC, the doctor details the maltreatment he underwent because of publicly acknowledging his Christian faith in Saudi Arabia:

“On April 12, 2005, I had a surprised visit from three Saudi officials at work. Two were in civilian attire and one was a police officer. They informed me that they were from the morals policing organisation (Muttawa). They proceeded to insult me publicly before the staff and patients of the medical center. They confiscated my wallet, cell phone and keys. They

⁶⁷ <http://hrw.org/english/docs/2005/11/16/saudia12049.htm>

handcuffed me, shackled (sic) my legs and dragged me to a waiting car, then proceeded to my residence.”

Fahmy then told how the police officer allowed two civilians to raid his house and confiscate all his written and published materials.

“I was then taken to the police station ... where I was formally accused of being a Christian missionary and of consuming alcoholic beverages at work,” recalled the persecuted Christian doctor. “I was placed in solitary confinement for five days. After my confinement they began the interrogation process. Each time I was questioned, I was cursed and insulted. The interrogator referred to me as ‘Infidel’.”

After his release, Fahmy was told that his passport was now in the custody of the police.

ICC accused the Saudi Government of "leading Fahmy in circles" by promising to let him leave the country but in the end blocking his path.

2. Religious Police Raid Private Religious Gathering

December 29, 2006

<http://www.state.gov/g/drl/rls/irf/2007/90220.htm>

On December 29, 2006, the mutawwa'in raided a private gathering of the Ahmadiyya religious group. Reportedly, the mutawwa'in detained 49 members, including at least 19 women and children (including a 6-month-old infant), and 14 youths. There were 25 Indians, 23 Pakistanis, and 1 Syrian. Nine other Ahmadiyya foreign workers were arrested in early January 2007. All of these individuals and their families were deported to their countries of origin. The Government claimed the group consisted of up to 150 persons and implied that the Government was concerned about the size of the gathering. In February 2007 two more Ahmadiyya guest workers were arrested in Riyadh and deported. The Government did not provide an explanation for their arrests or for the earlier deportations. There was no indication that the Ahmadiyya foreign workers, some of whom lived in the country for as long as 25 years, were guilty of breaking any laws.

3. Filipino Priest Arrested and Held a Week

October 15, 2006

<http://www.state.gov/g/drl/rls/irf/2007/90220.htm>

On October 15, 2006, the mutawwa'in raided a hall in Tabuk where a Filipino priest was preaching. The mutawwa'in confiscated Bibles and detained the priest, who was turned over to the "concerned authorities" to complete the investigation. He was released a week later.

4. Arrested: Four Christians Found Praying at Home

June 19, 2006

<http://www.asianews.it/index.php?l=en&art=6475&size=A>

The notorious Muttawa (religious police) have struck Christians in Saudi Arabia once again. According to the Compass Direct agency, on 9 June, 10 police armed with wooden clubs broke into a private residence in Jeddah, arresting four Christians of African origin who were conducting a prayer service. The two Ethiopians and two Eritreans are reportedly still detained in a prison for immigrants in Jeddah.

When the raid of the muttawa took place, more than 100 Eritrean, Ethiopian and Filipino Christians were gathered in the house in Al-Rowaise district in Jeddah. The worshippers invited the police to sit down; the latter waited for three hours until the service was over and then they arrested the four group leaders: Mekbebe Telahun, Fekre Gebremedhin, Dawit Uqbay and Masai Wendewesen. All four except the last are married. Local sources said "some police had already come two weeks earlier but they did nothing then."

A Christian who spoke with the detainees by telephone reported they were "doing fine, with okay morale." But he said he did not know how they were being treated, or whether they were undergoing interrogation. According to local sources, the incident has been reported to consular officials of the Philippines and the United States.

The government of Saudi Arabia forbids the practice of any religion other than the fundamentalist Wahhabite version of Islam. Mission and any public manifestation like carrying a Bible, a crucifix, a rosary beads and praying in public, are forbidden. The muttawa, known for their ruthlessness and violent torture practices, monitor respect for the ban,.

In recent years, thanks to international pressure, the Saudi kingdom has allowed the practice of other faiths, but only in private. However the religious police continue to arrest, imprison and torture people who practice their religion, even if they do so in private.

In the Saudi kingdom, which has a totally Muslim population, it is not permitted to build places of worship, churches or chapels. There are no exact statistics about the Christian presence, composed largely of migrant workers.

5. Catholic priest deported after Saudi arrest

April 13, 2006

http://www.catholic.org/international/international_story.php?id=19445

A Catholic priest who was arrested in Saudi Arabia for saying Mass in a private apartment returned safely to his base in southern India April 9 after being deported by Saudi authorities.

Police arrested Father George Joshua Kanneeth of Trivandrum Syro-Malankara Archdiocese April 5 in Riyadh, the Saudi capital, and kept him in custody until he was deported four days later, Trivandrum chancellor Father John Kochuthundiyl said.

The church official told UCA News April 11 that the deported priest was on a visit to Saudi Arabia when the country's religious police raided the apartment where he was saying Mass and arrested him. The Persian Gulf nation bans the practice of any religion other than Islam in its territory.

"We have no complaints against the Saudi government. They treated our priest well. He was not fined," the church official said.

Father Kanneeleth, who was on a tourist visa, met and prayed with some families of the Syro-Malankara Church who work in Saudi Arabia. The Oriental-rite Catholic Church is based in the southern Indian state of Kerala.

Syro-Malankara Major Archbishop Cyril Mar Baselios of Trivandrum was not available for comment. His diocese is based in Thiruvananthapuram, formerly Trivandrum, the Kerala capital, about 2,700 kilometers south of New Delhi.

Father Kanneeleth also was not available for comment.

Jiji Thomson, principal secretary of the Kerala government's Non-Resident Keralites Association, said the Saudi government has not informed the state of the incident. The association looks after the welfare of people from Kerala working outside the state.

"Practicing a religion other than Islam in the Saudi kingdom is a crime. Severe punishment, including flogging, is given to those who break the law. I'm happy (Father Kanneeleth) is back home safely," Thomson told UCA News.

Catholics of St. Mary's Parish, where the deported priest serves, told UCA News they were pleased at their priest's safe return. "We came to know about the incident only when he returned. Thank God, he was just arrested and deported," James Mathew, a parishioner told UCA News.

Muslim youth leader Abubacker Karakkunnu told UCA News the priest's attempt to conduct prayer meetings in Saudi Arabia was either because of his "ignorance of Saudi Law or an act of misadventure." Saudi laws "are very tough," the Muslim youth explained. "A crime like this would normally attract 100 lashes, (along) with a hefty fine," he said.

6. Raids on Filipino Christian Services

Multiple Reports from 2006

<http://www.state.gov/g/drl/rls/irf/2007/90220.htm>

In 2006 there were also reports of several raids on Filipino Christian services in Riyadh. Mutawwa'in raided services and confiscated religious materials such as Bibles and Christian symbols but typically did not detain non-Muslims.

7. Eight Protestant leaders arrested in Riyadh

May 31, 2005

<http://www.asianews.it/index.php?l=en&art=3411&size=A>

Vijay Kumar, a 45-year-old Indian national from the state of Tamil Nadu, and seven other Protestant leaders were arrested by the Muttawa, Saudi Arabia's religious police.

Relatives and friends in Riyadh have had no news about the fate of their loved ones, nor do they know where they are detained.

AsiaNews sources in the country said that Mr Kumar was taken in by police on May 28. His arrest came in the wake of that of another Indian, Samkutty Varghese, an Evangelical Christian who had entered the country on January 26 on a tourist visa.

The Muttawa detained Mr Varghese, who was waiting for his visa to be extended, on March 9. They found him in possession of a Hindi Bible and some phone numbers, which they used to carry out other arrests.

On May 28, the religious police raided a private prayer gathering of Protestant groups in the Batha area of the Saudi capital.

Later that day, at 8 pm, the police arrived at Mr Kumar's home. They interrogated him and his wife Christy Vijay Kumar till 3 am and then took away all religious material found in the residence, the family computers and Mr Kumar himself.

All those arrested belong to Assembly of God Evangelical groups.

Ms Kumar works as a catechist and normally teaches 40 Christian children from India and Muscat in her home.

Vijay Kumar has been in Saudi Arabia since 1994 working for Al Salam Aircraft. His home has been a gathering place for Christians since 2002.

His Saudi colleagues consider him a good person and are worried for his fate. And his employer has asked the police for information about his disappearance, thus far with little success.

In Saudi Arabia, freedom of expression is banned for all religions but Islam. Every public expression of other faiths (holding a Bible, wearing a cross or a rosary, praying) are outlawed.

The religious police, which has a reputation for being uncompromising and violent, remorselessly enforces the ban.

In the last few years, international pressures have forced the Saudi royal family to relent a bit and allow non Muslim to practice their religion at least in the privacy of the home. None the less, the Muttawa continues to arrest, imprison and torture people who practice another faith. For instance, on April 23, they arrested 40 Pakistani Christians who were worshipping at home.

Saudi Arabia's economy heavily depends on foreigners, but although they are allowed to work, they are not allowed to profess their faith.

Out of a population of some 21.6 million people, foreigners are around 8 million.

Muslims represent 97.3 per cent of the total, whilst Christians constitute 3.7 per cent, almost all from India, Sri Lanka, the Philippines and Egypt. Catholics number some 900,000.

In its 2004 report, the US Commission on religious freedom in the world said the Saudi kingdom was a country of particular concern.

8. 40 Pakistani Christians "Released" In Saudi Arabia After Church Raid

April 26, 2005

<http://www.worthylinks.com/view/2314>

40 Pakistani Christians who were detained over the weekend in Saudi Arabia for holding a joint Catholic-Protestant prayer service have been released, news reports said Monday, April 25.

Compass Direct, a Christian news agency, quoted the Pakistan Embassy in the Saudi capital Riyadh as saying that the last two men of the group, identified as Sardar and Emmanuel, were released late Sunday, April 24. Church sources say "several carloads" of Islamic religious police forces from the Committee for the Propagation and the Prevention of Vice raided the worship meeting at a Riyadh home Friday, April 22.

Surrounding the house, the police reportedly halted the sermon being preached by a man identified only as Emmanuel. The police forces beat some of the worshippers, upsetting the furniture and breaking Christian artifacts and symbols as they searched through the house, Compass Direct claimed.

"WOODEN CROSS"

"The group had a wooden cross displayed at the front of the room during their prayer services, a Pakistani clergyman was quoted as saying. The police made one little girl in the congregation hold that cross, mocking her and taking photographs of her which appeared in a local newspaper the next day," the clergyman told Compass Direct, apparently on condition of anonymity for security reasons.

Saudi officials have not commented, but observing any religion other than Islam is illegal in the Kingdom.

Earlier Reuters news agency quoted newspapers as saying that a group of men, women and children were attending the service in the capital Riyadh when police raided the house. Authorities also found Christian tapes and books, which were apparently not returned to the released believers, several news reports said.

MANY FOREIGNERS

There are around six million foreigners in the conservative kingdom, which has a population of 23 million, including many Christians from Europe, North America, Asia and other Arab states. In a rare official rebuke of a close ally last year, Washington accused Saudi Arabia of severe violations of religious freedom.

"Freedom of religion is not recognized or protected under the country's laws and basic religious freedoms are denied to all but those who adhere to the state-sanctioned version of Sunni Islam," the State Department said in an annual report.

Analysts say that following the September 11, 2001 attacks, which were carried out by mainly Saudis, the Gulf Arab state's religious establishment came under sharp criticism by the West for allegedly fostering militancy and intolerance of other religions. (With Compass Direct and reports from the region).

B. Anti-Proselytism

1. Filipino Christian Charged with Proselytizing

October 2006

<http://www.state.gov/g/drl/rls/irf/2007/90220.htm>

In October 2006 police arrested a Filipino Christian man in Jeddah and falsely charged him with drug possession. The police later dropped those charges and then formally charged him with proselytizing. He was detained for 8 months, received 60 lashes, and deported in May 2007.

2. Ten months in jail and 300 lashes for Christian prisoner O'Connor

October 27, 2004

<http://www.asianews.it/index.php?l=en&art=1776#>

On October 20, a Saudi court in Deerah near Riyadh sentenced Brian Savio O'Connor, a Indian Christian resident in Saudi Arabia, to ten months in prison and 300 lashes for selling "alcoholic beverages", this according to Middle East Concern (MEC), an organisation dedicated to the fate of Christians in the Middle East that has been monitoring the case of the Protestant man from the south-eastern Indian state of Karnataka.

Mr O'Connor has been incarcerated in Olaya prison since March 25 after the Muttawa, the Saudi religious police, abducted him from home and tortured for 24 hours in a mosque.

He was later charged with preaching Christianity, selling alcohol, drug use and possession of pornographic videos. He has always denied the charges, but has acknowledged leading Bible studies in his home for expatriate Christians after the authorities published information in the local press whereby non-Muslims could practice their religion at home. In practice, religious freedom does not exist in the country except for Muslims and any religious activity outside Islam is considered a felony.

In his October 20 court hearing, the judges found him guilty of selling alcohol but did not mention any of the other charges: drug use, evangelisation and, after September 15, possession of pornographic videos.

After reading the sentence, the court asked Mr O'Connor if he accepted this decision. He declined thus appealing the decision. He was warned that under Saudi law the higher court would most likely increase the sentence if it, too, found him guilty.

During the hearing Brian asked why the religious police who arrested him were not present as had been announced at the previous hearing. He was told that they had given their statement at a private hearing.

According to the MEC and Mr O'Connor's family, the Muttawa did a good job at trumpeting up the alcohol charges. He was found in possession of banknotes—whose serial number the Muttawa had taken down—that had been used by an agent paid by the police to purchase the alcohol.

MEC sources claim that the O'Connor file has now moved to the "Departure" section of Olaya prison indicating that he might be expelled from the country after Ramadan.

Following the Court's decision, Indian activist John Dayal wrote an appeal to Saudi King Fahd bin Abdulaziz al-Saud asking him to "give clemency to O'Connor" and urge the Saudi government to "release this Indian citizen who has already suffered much".

"We are sure," Mr Dayal said in the letter, that "we will not be disappointed in this appeal for mercy and justice in the name of universal brotherhood, human dignity and the friendly relations between the two countries, India and Saudi Arabia."

John Dayal is the President of the All India Catholic Union (which represent India's 16 million Catholics) and the Secretary General of the All India Christian Council, one of India's major ecumenical Christian organisations. AsiaNews and other Catholic websites (see www.stranocristiano.it) have followed the O'Connor case and promoted an awareness campaign on his behalf.

In the letter to the Saudi king, Dayal states that O'Connor's "employers have declared that the allegations against their employee are not valid" even though it is accepted that he is a practicing Christian.

According to Dayal, Mr O'Connor's arrest, his experience in jail and now his sentence have caused "deep concern" amongst Indian Christians. "Brian," Dayal wrote, "has no criminal record at home or abroad, and has been arrested, we feel, just for his religious convictions." (LF)

C. Anti- and Forced Conversions

1. Application of the Apostasy Law in the World Today

July 3, 2007

http://www.barnabasfund.org/News/archives/article.php?ID_news_items=294

[*excerpt*]

In Saudi Arabia the Qur'an is the state constitution and *shari'ah* the legal system. The strict Wahhabi interpretation prohibits the public practice of any other religion than Islam in the Arabian Peninsula.

In categorizing offences and deciding punishments, judges in Saudi Arabia are guided by vaguely-worded laws and general principles of Islamic jurisprudence, which are subject to different interpretations by different jurists. For example, it is the judge who decides what constitutes apostasy. In a 1992 case brought against a Saudi Shi'ah Muslim, 'Abd al-Karim Mal al-Allah, it was reported that the judge told the accused: "Abandon your rejectionist beliefs or I will kill you". The discretionary powers of the judge are further enhanced by the secrecy of court

proceedings, which protects judges from legal challenges by defence lawyers.

In Saudi Arabia, the absence of any debate on the death penalty is due to the threat of the imposition of the death penalty itself on anyone taking the initiative to start such a public debate, as only the state has the authority to declare on such issues. Anyone who embarks on such a debate is liable to be branded an apostate or of being one of the "corrupt on earth", both crimes liable to capital punishment.

2. Saudi Citizen Arrested for Converting from Islam to Christianity

May 2007

<http://www.state.gov/g/drl/rls/irf/2007/90220.htm>

In May 2007 the U.S. consulate general in Jeddah received a report that a Saudi citizen was arrested, later released, and then rearrested because he had converted from Islam to Christianity. He also claimed that security forces had tortured him. The consulate general received information that he was scheduled for a trial, but no further information was available at the end of the reporting period.

3. Saudi Arabia: 7 of jailed Christians released

June 8, 2005

<http://www.asianews.it/index.php?l=en&art=3469&size=A#>

Seven Christians who had been under arrest for their faith were freed this afternoon. The condition for their release was to sign a renunciation to religious practice, which they had been carrying out privately in their homes, as permitted by law.

Of the 7 released, 6 were part of the group of Protestants (8 in all) who had been arrested last May 28 in an extensive raid carried out by the Muttawa (religious police) in Riyadh. The other is Samkutty Varghese, another Indian Protestant, in jail since March: the police had used his address book to track down the other Christians.

According to AsiaNews sources close to Mr Kumar, one of the released prisoners, their release took place today, June 8, around 3:30 p.m. local time, after having signed a document in which they renounced to the prayer sessions and religious practices that they had been carrying out for some time in their homes.

On May 28, the religious police raided a private prayer gathering of Protestant groups in the Batha area of the Saudi capital. Later that day, at 8 pm, the police arrived at Mr Kumar's home and interrogated him and his wife. They then took away all religious material found in the residence, the family computers and Mr Kumar himself. More or less the same method was used to make the other arrests all in the same day.

Vijay Kumar has been in Saudi Arabia since 1994 working in production control for Al Salam Aircraft. His home has been a gathering place for Christians since 2002. In Saudi Arabia, freedom of expression is banned for all religions but Islam. Every public expression of other faiths (holding a Bible, wearing a cross or a rosary, praying) is outlawed. The religious police,

which has a reputation for being uncompromising and violent, remorselessly enforces the ban. In the last few years, international pressures have forced the Saudi royal family to allow non-Muslim to practice their religion at least in the privacy of the home. None the less, the Muttawa continues to arrest, imprison and torture people who practice another faith even if privately.

Local sources refer to telephone calls from the prison according to which "the first 3 days were the worst" for the Christian prisoners, who were subjected to all kinds of abuse. Then, "when the 8 were divided into different cells, things went better." Two other Christians are still being held in jail by police for "further investigations."

Four of the released have been repatriated to India, while Kumar is waiting to know what the future holds for him and his family. The decision will be made by his employer, in agreement with Saudi authorities, by the end of the week. The hope is, according to the same sources close to Kumar, that he be allowed to stay in Riyadh: "There is nothing for him and his loved ones in India at the moment and finding a new job would not be easy."

4. Saudi Christian convert arrested and jailed

December 17, 2004

<http://www.asianews.it/view.php?l=en&art=2134>

Jeddah (AsiaNews) A Saudi citizen converted to Christianity has been arrested and jailed. Emad Alaabadi was taken into custody last November 29, at Hofuf, a town in eastern Saudi Arabia, but the news was reported only a few days ago by the International Christian Concern (ICC), a Washington-based human rights group. AsiaNews local sources have confirmed the report, and also say that he "is not the only Saudi Christian in jail at the moment: there are also others".

According to news obtained by ICC, other Christians at least 3 or 4 – appear to have been arrested along with Emad. The presence of Christians in Saudi prisons had also been confirmed by Brian O'Connor, in an interview with AsiaNews. Brian Savio O'Connor is a Protestant Indian who was deported from Saudi Arabia after being tortured and held in prison for "having preached Christianity". Upon his return to India, O'Connor told AsiaNews that "there are still many other Christians that need your help in Saudi prisons".

Last November 29, Amad was intercepted by the Muttawa, Saudi religion police, while he was driving his children home from school. The police escorted them home and then took Amad to the local prison. Later he was transferred to Jeddah, where he is currently imprisoned. On December 4, he managed to contact his mother, who lives in Australia, by telephone, to let her know what had happened and where he was. The mother reported that he sounded very weak: ICC said that the Muttawa agents probably tortured the Christian-faith Amad to reconvert him to Islam.

Alaabadi is 30 years old and has 4 children. He became Christian 2 years ago, but it is not known to what denomination he belongs.

Fundamentalist Wahhabi Islam is the only expression of religion allowed in Saudi Arabia. There is no religious freedom in the country, even if Saudi officials have been tolerating the private practice of other religions. However, the Saudi religion police, the Muttawa, continues to persecute Christians in their homes where they meet to pray.

The construction of churches or chapels is not allowed in the country. Muslims make up 93.7% of the Saudi population of 21.6 million people. Christians, who are almost entirely foreigners, account for 3.7% of the population. There are 800,000 Catholics. There are no exact figures on the number of Saudi Christians. (LF)

D. Blasphemy

1. Saudi Arabia: Stop Trials for ‘Insulting’ Islam

May 13, 2008

<http://hrw.org/english/docs/2008/05/13/saudia18816.htm>

Courts in Jeddah should dismiss cases against a Saudi web critic and a Turkish barber charged with “insulting” Islam, an unequivocal violation of freedom of expression protected under international law, Human Rights Watch said today.

The Saudi man used his website to criticize the religious police while the Turkish barber is accused of cursing the name of God.

“Criminalizing speech on grounds that it is insulting might appease some people, but it violates the fundamental human right of free speech,” said Sarah Leah Whitson, Middle East director at Human Rights Watch. “The Saudi government uses these laws primarily to silence its critics.”

On May 5, the prosecution service in Jeddah charged Ra’if Badawi with “setting up an electronic site that insults Islam,” and referred the case to court, asking for a five-year prison sentence and a 3 million riyal (US\$800,000) fine. Unknown persons have hacked Badawi’s website multiple times, and have published his phone numbers, work address, and a threat on the hacked site: “Oh you retard, you are in the land of Muhammad, peace be upon him. Underline ‘Muhammad’ with a thousand lines before a thousand swords are put above your neck!” Prosecutors have not investigated the hackers or the death threats against Badawi.

The prosecution service had detained Badawi in March 2008 for one day to interrogate him about his website, which he uses to detail abuses by the Saudi religious police and to question the predominant interpretation of Islam. After being threatened with arrest for his online activities and receiving personal threats of physical harm, Badawi fled Saudi Arabia two weeks ago.

“Saudi assertions of increased freedom of expression ring hollow in light of the systematic silencing of critics who dare to speak their minds publicly,” Whitson said.

In a second case, the Mekka appeals court on May 1 upheld Sabri Bogday’s death sentence issued on March 31, 2008 for “cursing the name of God.” Bogday, a Turkish national who had worked in Jeddah for 11 years as a barber, allegedly insulted God during an argument with a Saudi client and an Egyptian neighbor. Bogday, who did not have a lawyer in court, denied cursing God, but the three judges of the lower court regarded the testimony by the Saudi and the Egyptian witnesses as sufficient proof that Bogday had committed the crime of apostasy, or defection from Islam.

“The charges, conviction, and sentence against Bogday show the dangers of criminalizing speech on the grounds that it’s offensive,” Whitson said. “There’s no good reason to believe that criminal penalties for insulting God or religion either prevent such insults or restore the alleged damage done to the reputation of religion or God.”

Although the existence of blasphemy laws make some forms of insult to religion an offence, human rights bodies have called for their abolition, and as a minimum that they be narrowly defined so they are compatible with international human rights law on free speech. “Cursing God” does not meet this test and should not be a criminal offence, Human Rights Watch said.

Saudi Arabia does not have a penal code, and the crimes of “insulting Islam” or “cursing God” are not precisely defined. Prosecutors and judges in Saudi Arabia frequently attach a criminal charge to an act they consider criminal without citing the legal basis for such a charge. International human rights law requires that the law, in particular one establishing criminal offences, be sufficiently precise to enable an individual to regulate his conduct appropriately.

International human rights law also protects freedom of expression. The government may only ban limited types of speech such as that which immediately and directly incites violence, but the government may not impose criminal sanctions for the expression of thoughts or opinions, merely because they are deemed offensive.

Saudi Arabia frequently convicts persons for alleged insults to religion. Hadi al-Mutif, who belongs to the minority Isma’ili creed in Shia Islam, remains on death row for allegedly insulting the Prophet Muhammad with two words in 1993; a court convicted teacher Muhammad al-Suhaimi in 2004 of insulting religion for his unorthodox views expressed in a classroom; teacher Muhammad al-Harbi was found guilty of blasphemy in 2005; and a different court charged Rabah al-Quwai’i with apostasy for internet writings in 2005.

2. Saudi Arabia: Teachers Silenced on Blasphemy Charges

November 17, 2005

<http://hrw.org/english/docs/2005/11/16/saudia12049.htm>

A Saudi court has sentenced a high school chemistry teacher to more than three years in prison and 750 lashes for talking to his pupils about his views on a number of current topics, such as Christianity, Judaism and the causes of terrorism.

In Qassim province, north of Riyadh, the prosecution department pressed blasphemy charges against Muhammad al-Harbi, labeling the teacher an “apostate,” after his students and fellow teachers filed legal complaints against him. The judge in the case, `Abdullah Dakhil, reportedly accused the teacher of “trying to sow doubt in a student’s creed.” On Saturday, a court in Bukairia banned him from teaching and sentenced him to 40 months in prison and public flogging of 750 lashes.

“Despite recent education reforms, the Saudi government is imprisoning schoolteachers for having open discussions with their students,” said Sarah Leah Whitson, Middle East director at Human Rights Watch. “As long as schoolteachers face persecution for doing their job, Saudi children will lose out.”

Al-Harbi's case is not an isolated instance of imprisoning teachers for expressing their views. In March 2004, a General Court in Riyadh banned Muhammad al-Sahimi, a former teacher in middle school and high school, from teaching and sentenced him to three years in prison and 300 lashes, also for expressing his views in a classroom. The court found him guilty of endorsing allegedly un-Islamic sexual, social and religious practices. The Saudi deputy minister of defense and aviation, Prince `Abd al-Rahman bin `Abd al-`Aziz, personally involved himself in the matter, initially ordering al-Sahimi's arrest before any formal charges had been pressed.

The government based its case against al-Sahimi, a teacher of Arabic, on his discussion of the varying concepts of love in poetry. Religion teachers at his school interpreted his words to constitute apostasy. Court documents charged al-Sahimi with declaring listening to music, smoking, adultery, homosexuality and masturbation as permissible under Islam. Al-Sahimi denied the charges.

Both al-Harbi and al-Sahimi had introduced students to issues they encounter in their daily lives. Al-Sahimi broached topics such as sexuality with his students, who were between 13 and 15 years old. In response to the bomb attacks on foreign and Saudi civilians in Riyadh in May 2003, al-Harbi reportedly discussed Christianity, Judaism and the dangers of terrorism with students and posted signs against terrorism around his school. Al-Harbi also encouraged his students to engage in critical thinking to resolve apparent differences of meaning between the text of the Koran and the words and deeds of the Prophet Muhammad (sunna). Saudi Arabia asserts that since February 2002 it has begun a review of its curricula, and a number of school textbooks have since been altered.

In August, King Abdullah pardoned four reform advocates jailed by a Riyadh General Court for publicly advocating an overhaul of the education system, among other demands. Judge Sa`ud bin `Abdullah al-`Uthman ruled in al-Sahimi's case as well as the reformists'. In May, he sentenced one of the reform advocates, Matruk al-Falih, to six years in prison for his "false allegations ... and interpretation of violence in Saudi Arabia." According to court documents, the judge based his ruling on Falih's comments that those who "take part in acts of violence are the product of the Saudi environment and its schools and their educational policy."

"Instead of protecting freedom of expression, the Saudi judiciary is imprisoning those who advocate for genuine education reform," Whitson said.