

Disclaimer

The International Bureau for Children's Rights is pleased to share with the visitors of its official website this draft country profile on the status of the CRC implementation. This draft profile is the preliminary result of the ongoing research project that will eventually cover all the States parties to the Convention.

This draft is based on data that IBCR interns were able to collect from various Internet sources. As the information on the Internet is often limited and may contain inaccuracies, this profile is not meant to be complete or absolutely accurate. Still, IBCR has decided to publicize this draft profile for the purpose of awareness-raising and exchanging of information.

In the meantime, IBCR remains open to any comments, corrections and feedback readers may have. IBCR is seeking additional resources to improve this draft country profile and bring it to the expert level. The reports on Cambodia, Indonesia, Sri Lanka, Timor Leste, and Viet Nam are examples of expert level reports and are available on IBCR's official website thanks to the financial contribution of CIDA. The ultimate goal of this endeavour is to bolster international understanding of children's rights, disseminate knowledge about the CRC and assist Governments in its implementation.

KINGDOM OF SAUDI ARABIA

Introduction

Saudi Arabia is a monarchy led by King Abdullah. The nation is rich in natural resources, including petroleum, and it is estimated that it currently possesses 25% of the global petroleum reserves. Its infrastructure and economy are fairly modern but in many respects the society still adheres to traditional and religious values, especially with regards to the political system. The laws and policies governing the nation are based on Sharia, or Islamic law, and some secular codes.¹ While the nation was elected in May 1999 as a member of the United Nations Commission on Human Rights, it is said that there are still several human rights violations occurring within its own borders.² In response to this, the Government set up a national human rights commission but it is riddled with problems, including a lack of independence.³

Many human rights activists claim that the Saudi Arabian Government is authoritative and repressive, subjecting its 26 million residents, including six million foreign workers and their families, to extensive human rights abuses.⁴ This point was exemplified in the 1993 crackdown on political dissent which rendered freedom of expression nonexistent. Elections have also been banned and capital and corporal punishment are common practices. Religious freedoms are not respected and as such minority religious groups, such as the Shi'a Muslims, suffer at the hands of the Sunni Muslim majority.⁵ The Committee for the Propagation of Virtue and the Prevention of Vice employs security forces, and religious police to ensure that the population adheres to Sharia law.⁶ These security forces are entitled to search, arrest and detain citizens and foreigners and have also been responsible for torture and public beheadings.

International Conventions and Treaties

- Convention on the Rights of the Child (CRC), ratified: February 15, 1996
- Convention on the Elimination of All Forms of Discrimination Against Women, ratified: October 7, 2000

Children's Rights

Saudi Arabia ratified the Convention on the Rights of the Child in 1996. It submitted its second periodic report in 2005 and the Committee on the Rights of the Child (CRC) published concluding observations on 27 January 2006. The Committee specifically noted that the Government had made progress in providing basic services to children. However, it also observed that certain interpretations of Islamic texts have hindered the realization of children's rights at the ground level. This religious conservatism has had a variety of negative

¹ "Saudi Arabia", CIA The World Factbook, 16 May 2006, available on-line at <http://www.cia.gov/cia/publications/factbook/geos/sa.html> (last accessed May 30, 2006)

² "Human Rights in Saudi Arabia: A Deafening Silence", Human Rights Watch, December 2001

³ "Essential background: Overview of human rights issues in Saudi Arabia", Human Rights Watch, 2005, available on-line at www.hrw.org/english/docs/2005/01/03saudia9810.htm (last accessed 30 May 2006)

⁴ Supra note 2

⁵ Ibid

⁶ Ibid

repercussions, including the infringement of rights of the girl child, as well as domestic violence and severe types of punishment. The Committee has called upon the Government to review its domestic laws in order to ensure that they conform to the Convention. It has also recommended ratification of the Optional Protocols to the Convention on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

Discrimination against girls is commonplace due to the patriarchal nature of Saudi Arabian society. For example, women are not permitted to do things without the consent of their husband or a male relative including working, traveling, or seeking admittance to a hospital for medical treatment.⁷ Strict gender segregation is also enforced in many places including schools and women and girls are forced to wear long black cloaks in public. Male violence and abuse against females is also common although the situation may improve somewhat given that hospitals are now required to report any suspicious injuries to the authorities.

The CRC notes that the Government has taken measures to improve the **health** of children through the enactment of the Health Act in June 2002 and the allocation of greater resources to the health sector. Moreover, the state has taken significant strides in the elimination of infectious diseases and the prevention of HIV/AIDS. However, a new phenomenon that needs to be addressed by the Government is nutrition as it appears that there is a growing rate of obesity amongst children.⁸ With regards to children with **disabilities**, the CRC has commended Saudi Arabia for integrating them with their peers into schools but was concerned with the lack of national programmes and policies to assist them in everyday life. In response, the Government has recently taken steps to promote the rights of persons with disabilities through the establishment of an endowment committee.

Juvenile justice is another concern in Saudi Arabia. Presently, the age of majority does not meet international standards and as a result a range of punishments may be imposed upon children under the age of eighteen. For example, children may be sentenced to death or flogging and it is reported that judges use such methods of punishments systematically.⁹ Moreover, at least 126 individuals are on death row for crimes they committed before the age of eighteen.¹⁰ According to Human Rights Watch, children as young as thirteen have been sentenced to the death penalty. The fact that the judicial system is shrouded in secrecy and lacks due process has also meant that sentencing for supposed crimes is often suspicious and unjust.¹¹ One incident recorded by Amnesty International notes the arrest and detention of seven Pakistani children in January 1997, allegedly involved in a drug trafficking network. These children have been denied access to legal counsel, and the length of their detention remains unclear.¹² The Government has made some improvement with the establishment of a special juvenile court and a separate detention facilities for children.¹³ However, the Committee on the Rights of the Child has called upon the Government to suspend the execution of all people who committed crimes before the age of eighteen.

⁷ “Country Reports on Human Rights Practices, Saudi Arabia”, US Department of State, 2006

⁸ “Concluding observations: Saudi Arabia”, Committee on the Rights of the Child, 27 January 2006

⁹ “Saudi Arabia: Follow U.N. Call to End Juvenile Death Penalty”, Human Rights Watch, January 2006, available on-line at <http://hrw.org/english/docs/2006/01/29/saudia12546.htm> (last accessed 30 May 2006)

¹⁰ “Saudi Arabia: 14 Year-Old Boy Faces Execution”, Human Rights Watch, 2005

¹¹ Supra note 2

¹² “Saudi Arabia: Failure to Clarify Fate of Imprisoned Pakistani Children”, Amnesty International, July 1997

¹³ Supra note 8

While there is still a dearth of reliable data on **child labor** in Saudi Arabia, it is clear that children, as young as four or five, are used as camel jockeys. Many of them are abducted and forced into camel training where they are made to work 10 hours a day and also lose weight in order to be lighter on the camel. Although the legal minimum age for employment is 13, much lower than in other countries, this age does not apply to domestic work such as cattle herding. As a result, national statistics on child labor are somewhat misleading.¹⁴ It is reported that child labor is not a problem amongst Saudi nationals but there is evidence that child workers from countries such as Bangladesh, Thailand, India, the Philippines, Indonesia and the Horn of Africa have been forced into domestic servitude and sexual exploitation.¹⁵ Criminal rings within the country have also been established, forcing foreign children into begging.¹⁶ Such forced child labor is not legally banned and few cases are reported.

With regards to **human trafficking**, Saudi Arabia still has few laws to protect victims and it has made little progress in the prevention of involuntary servitude. Moreover, the Government does not provide any legal aid to foreign victims and penalties for perpetrators are insufficient under Islamic law. Children are victims of trafficking with many brought from Yemen, Afghanistan and various countries from Africa for the purposes of forced begging.¹⁷ In 2004 the Ministry of Labor made some attempts to address this issue by prohibiting the employment and exploitation of children and the recruitment of children for begging. In addition, the Government participated in the first ever workshop on combating child trafficking in the Arab world. Participants called for the development of National Plans of Action to fight and criminalize child trafficking.¹⁸ Despite such measures, approximately many Indian children are still smuggled to Saudi Arabia each year for begging during the Haj season. Recently, Saudi Arabia repatriated 3,000 children; most of them were trafficked into the country from Yemen with parental approval. It was reported that they were almost exclusively boys.¹⁹

The Kingdom of Saudi Arabia has not ratified the Hague Convention on the Civil Aspects of International Child Abduction, and foreign nationals living in or traveling through Saudi Arabia have confronted problems related to international parental **child abduction**. For example, the laws of Saudi Arabia, in accordance with Islamic law, disallow non-Saudi women from being awarded custody of their children. Even when a mother is granted physical custody of children, the father maintains legal custody, and consequently, the mother has little control over the living situation of her children.²⁰

Saudi Arabia has implemented a free and universal **education** program; however statistics indicate that enrolment and attendance rates are still low. For example, UNICEF reports that from the years 2000-2004 there was a gross school enrolment ratio of only 68% for boys and 65% for girls.²¹ The disparity between boys and girls widens slightly in secondary school, with

¹⁴ "Worst Forms of Torture Report: Saudi Arabia", Global March, Date Unknown.

¹⁵ "Trafficking in Persons Report", US Dept. of State, July 2001

¹⁶ "Country Reports on Human Rights Practices – 2005", US Dept. of State, March 2006

¹⁷ "Human Trafficking and Modern-Day Slavery: Kingdom of Saudi Arabia", U.S. State Dept Trafficking in Persons Report, June 2005 available on-line at <http://www.gvnet.com/humantrafficking/SaudiArabia.htm> (last accessed 30 May 2006)

¹⁸ "First Arab regional workshop on combating child trafficking", UNICEF, 1 March 2006

¹⁹ "Al-Birr Society Work to End Child Trafficking, Exploitation", Arab news website, 26 February 2006

²⁰ "International Parental Child Abduction: Saudi Arabia", US State Department, Date Unknown, available on-line at http://travel.state.gov/family/abduction/country/country_517.html (last accessed 30 May 2006)

²¹ "At a Glance: Saudi Arabia", UNICEF, Date Unknown, available on-line at http://www.unicef.org/infobycountry/saudiarabia_statistics.html (last accessed 30 May 2006)

70% of males and 63% of females enrolled.²² Given that 87% of men are literate compared to only 69% of women, it is safe to assume that the education system favors males.²³ Moreover, whereas the general literacy rate is increasing amongst the population, the female literacy rate is in decline. The distinction made between men and women in the curricula might contribute to the discrimination that occurs in the education system. The CRC has recommended that the Government “break down stereotypical attitudes about the roles and responsibilities of women and men.”²⁴ Other problems include limitations on freedom of speech in schools as evidenced by the recent arrest of a high school chemistry teacher who was sentenced to three years in jail for discussing his views on religion and terrorism.²⁵

Saudi Arabia has not signed on to the **Mine Ban Treaty**. However, it is not a mine-affected country and in 2001 it provided 3 million USD to the National Demining Program in Yemen. In February 2002 it was reported that Saudi Arabia maintains a stockpile of antipersonnel mines, however at this time it does not appear to affect the child population.²⁶

It is increasingly difficult to monitor and record incidences of human rights abuses, as the Kingdom remains off-limits to international human rights organizations. Children’s rights in Saudi Arabia are endangered, both in terms of actual infringements upon rights as well as the extent to which they continue to be masked by lack of investigation and reporting.

²² Ibid

²³ Ibid

²⁴ Supra note 8

²⁵ “Saudi Arabia: Teachers Silenced on Blasphemy Charges”, Human Rights Watch, 2005, available on-line at www.hrw.org/english/docs/2005/11/16/saudia12049_txt.htm (last accessed 30 May 2006)

²⁶ “Saudi Arabia, Landmine Monitor Report 2002”, Landmine Monitor, February 2005, available on-line at http://www.icbl.org/lm/2002/saudi_arabia.html (last accessed 30 May 2006)